

FISHERIES, IRELAND.

THE
FOURTH ANNUAL REPORT

OF THE

COMMISSIONERS OF PUBLIC WORKS,

IN RE

THE FISHERIES OF IRELAND,

1846.

Presented to both Houses of Parliament by Command of Her Majesty.

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1846.

FOURTH ANNUAL REPORT

CONTENTS.

REPORT,	p. iii
CONTENTS OF APPENDIX, viii
APPENDIX,	1

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COMMISSIONERS OF PUBLIC WORKS,
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TO HIS EXCELLENCY WILLIAM BARON HEYTESBURY, Lord Lieutenant-General
and General Governor of Ireland.

May it please your Excellency,

PURSUANT to the Act 5 & 6 Vict., c. 106, for the Regulation of the Irish Fisheries, we have the honor to submit this our Fourth Annual Report.

GENERAL OBSERVATIONS.

Throughout the last year (1845) we have been enabled to trace, on the whole, the same steady, though slow, progress towards improvement in the general Fisheries of the country, to which we adverted in our last Annual Report. General Observations.

Since that time two Acts in reference to the Fisheries, have been passed by the Legislature: one of which was for the general amendment and further extension of the principles of the Act of 1842, and relates chiefly to the regulation of the Salmon and Oyster Fisheries. The other, an Act of the present session, has for its chief object the encouragement of the construction of Piers, Harbours, and other works for fishing purposes. In these Acts are carried out most of the principles the adoption of which we had the honor to recommend in our previous Reports, with reference to the objects in question; and to which we shall briefly allude under their proper heads. 8 & 9 Vict., c. 108.
9 Vict., c. 3.

In the Appendix will be found a statement of the Registry of Fishing Vessels and Boats up to the 1st of January in this year. The following abstract shows a still progressive increase in the number of vessels and of men engaged in the Fisheries, as compared with the registry for last year. See Appendix,
No. III., page 194.

YEAR.	FIRST CLASS.		SECOND CLASS.		TOTAL.	
	Vessels.	Men & Boys.	Boats.	Men & Boys.	Vessels and Boats.	Men & Boys.
1844	2,237	11,193	15,718	73,515	17,955	84,708
1845	2,371	12,175	17,512	80,898	19,883	93,073

The increased number of vessels and boats appearing to have been registered in 1845, is, as compared with the previous year, 1,928, and of men and boys, 8,365; and we are of opinion that this statement is very near the truth, and exhibits with sufficient correctness the number of vessels and men now engaged in the coast Fisheries of Ireland; nor have we any doubt but that these Fisheries will

continue to progress in extent and importance, aided as they will be by the present enactment for promoting the security and increasing the accommodation for vessels employed in this lucrative branch of trade; and further promoted as that trade will shortly be by improved facilities of internal communication, and consequently by more widely extended markets.

It is further matter for congratulation, that during the past season there have been little or none of those disputes among the fishing communities which prevailed more or less in former years.

DEEP SEA FISHERIES.

Deep Sea Fisheries.

In this branch of the trade we have, as heretofore, continued to abstain from the introduction of restrictive provisions or bye laws as regards the modes or times of fishing in the open sea. And we are happy to observe that this course, coupled with suitable explanations given from time to time to the fishermen themselves, together with the force of example and increased experience, is gradually effecting the removal of prejudices long established, and is preparing the way for the quiet introduction of skill, and peaceable orderly habits, even among parties having in some degree conflicting interests.

In our former Reports we alluded to the successful establishment of a small fishing company at Dunmore, county Waterford, which employed several boats in trawling to the southward of that coast. This successful effort has led others to follow the example; and the boats of five companies are now steadily engaged in fishing in the same locality, with results which are detailed in the following extracts from Reports on this fishery made by one of our Inspectors (Mr. Barry) in November and March last.

“It is most gratifying to learn that the Dunmore deep sea fleet increases and prospers: there are now twelve very fine cutters averaging a weekly produce through the year of nearly £100. The whole of the fish is either shipped to the English markets or sold at Dunmore and Waterford as it is taken from the boats; and it is rather a singular fact that the demand is now more steady and more equal to the supply than when the undertaking was commenced with only three vessels. The great majority of the crews are now natives, and having once acquired the necessary skill from intercourse with the more experienced hands who had been brought over from England, they are infinitely preferred as more sober and orderly in their habits than their more skilful shipmates. The prejudices of the native fishermen in this locality against the use of the deep sea trawl net may be said to be nearly extinguished; and the people are now most solicitous for an increase in the number of large vessels in order that they may obtain berths. Dealers and exporters in numbers have sprung up in Waterford, and the companies are no longer obliged to trouble themselves about the disposal of the fish.” “On the average of three years the returns to one company have exceeded 15 per cent. on the capital invested.”

These are results which it is not only our duty to report, but the knowledge of which it is desirable to diffuse for the encouragement of others, and as a practical illustration that, by the adoption of a judicious and conciliatory course, not only may prejudices among the fishermen be removed in the most effective manner, but with the most important benefits to themselves and the community.

The course adopted in these cases has been a prudent one, namely, the formation of very small companies or partnerships, with very few, but well found, boats and gear; and though, doubtless, much of the success in the first instance may be attributable to the daily steam communication with England, and a steady remunerative price, yet it will be seen that independently of these, there is sufficient to encourage the trader, (who should combine a system of curing with his traffic in fresh fish,) to make exertions similar to those of the Waterford Companies, in many of the more westerly stations on the coast.

While speaking of these fishing communities, we may observe that we should hail as an important step towards the advancement of the Irish Fisheries, a more general adoption of a system of curing in connexion with the traffic in fresh fish.

We would desire again to allude to the advantage which would be conferred not only on the Fisheries and the public, but on the parties themselves, by the practice, prevalent in England and some few places in this country, of proprietors and other persons in the neighbourhood of fishing stations advancing capital for the construction of improved boats, fishing gear, &c., upon the security of shares held in a sort of partnership with the fishermen in the boats, and profits of

fishing. This would not only be a most legitimate and safe mode of encouraging the Fisheries; but would excite in the parties so acting a degree of attention and interest in the success of their concern which would most effectually tend to impress upon the fishermen the advantage to be derived from adopting improved means in the prosecution of their trade.

So far as legislative facilities were required for the improvement of the Fisheries, we are of opinion that the Act of 9 Vict. c. 3, taken with the grant of money therein provided for the construction of fishing piers, harbours, and other such works, will be found to afford what is necessary for the present on the part of the public; and it will only remain for parties locally interested to perform their duties in furtherance of this important object.

TRAWL AND TRAMMEL NET FISHING.

The objections heretofore made to these effective modes of fishing are gradually diminishing in the manner, and under the influence of the circumstances, which we have already stated. Our resistance, in the first instance, to demands made for imposing restrictions on these modes of fishing subjected us to animadversions, we believe, from many; and we were strongly urged to accede to these requests, on the plea that it might be prudent to yield something to long established usage. We felt, however, that such a course would only have the effect of strengthening such prejudices, and probably to the future injury of the very parties for whose assumed benefit the restrictions were demanded.

We have thought it right to make these observations for the purpose of demonstrating the necessity of caution in yielding to the numerous demand for changes often urgently sought for, and which parties, under the influence of local or fortuitous circumstances, conceive to be good or necessary, but which, if carried into effect, would probably be found to produce very different results.

Trawl and Trammel Net Fishing.

OYSTER FISHERIES.

In our last Report we treated fully on the state of these important Fisheries, and their great capability of improvement. The Act since passed (8 & 9 Vic., c. 108) affords, with the previous Enactments, all that appears to us to be necessary in the way of Legislation, for the regulation and advancement of this branch of the Fisheries. The only difficulty seems to be the want of sufficient means to enforce the regulations in the first instance; but, when they shall have become more generally known, and their value felt and ascertained by the fishermen themselves—as we anticipate they will be ere long—we trust that little compulsion will be requisite to ensure their observance. In the mean time, we hope that through the instrumentality of the Coast Guard, and increased exertions on the part of the Constabulary on shore, the strict observance of the Close Season—as the first and most essential step towards the improvement of these Fisheries—may be successfully established. Much attention is already directed to the adoption of the best means for the improvement of the Oyster Fisheries, and the formation of artificial Beds or Layings; and we hope to be enabled in our next Annual Report to state successful results of those active steps which are now being taken in furtherance of these objects.

Oyster Fisheries.

LOBSTER FISHERIES.

These valuable fisheries have attracted but little increased attention since our last Report. Some exertions made off the southern coast of Wexford to introduce improved modes of capture, have, it is reported, been to a great degree frustrated by the jealousy of the neighbouring inhabitants.

Lobster Fisheries.

SPRAT FISHING, BY MEANS OF FIXED NETS OR WEIRS.

The 39th Section of the Act 5 & 6 Vic., c. 106, exempts weirs used for the taking of Sprats and other white fish, and held by charter or prescriptive right, from those provisions of the Act which require the cessation of all fishing by fixed nets, during the Salmon Close Season, provided the owners of such weirs obtain our licence for their use. We have made inquiry into all the cases of this nature for which applications have been made, and the evidence taken in respect thereto will be found in the Appendix, pages 181 to 193.

As the object, under proper restrictions and regulations, is decidedly useful, especially as regards a supply of bait for the deep sea fisheries, we propose issuing

Sprat Fishing, by means of fixed Nets or Weirs.

See 39th Section of Act 5 & 6 Vic., c. 106.

licences for all such weirs, in which a *prima facie* case of prescriptive right is shown, guarded by such provisions as will prevent their being used in a mode injurious to the Salmon Fisheries.

We adopt this course believing the intention of the Legislature in requiring licence from us to have been to establish a guard against any abuse of fixed nets as a mode of fishing, and to afford a protection to the fisherman from penalties summarily inflicted, rather than in any degree to decide the question of title, which will of course at all times remain open for the decision of the superior Courts of Law.

SALMON FISHERIES—CLOSE SEASON.

Salmon Fisheries
—Close Season.

The general inquiry into the state of these fisheries throughout Ireland, and as to the fitness of the Close Season now fixed by law, was concluded late in December last, and we annex a very full Report from Mr. Mulvany (now a member of the Commission) and Mr. Barry, the gentlemen by whom the investigation was conducted, together with copious minutes of the evidence and information obtained; and we have to express, after a full consideration of the evidence adduced, our concurrence in all the essential parts of that Report.

In our last Annual Report we alluded, at some length, to this inquiry, and stated some of the general results which had at that time been developed by it; the further consideration which we have been since enabled to give to the subject has confirmed the views then expressed.

We regret that in the present state of public opinion on the subject of the uniform Close Season as at present fixed by law, we are precluded from recommending a further protracted enforcement of that provision; not that we are prepared to wish for a final settlement of the question in the terms of the enactment, but because we are satisfied that its continuance for a while longer would have the effect of further recruiting and promoting the Salmon Fisheries of Ireland, which have so long suffered from neglect and abuse.

We are at the same time ready to admit that a free and unfettered discussion of this difficult question, with the aid of the great mass of information now furnished, may be calculated to produce a good effect, and bring about a more general concurrence of opinion than has hitherto existed on the subject. For this reason, though much pressed with the consideration of other matters, we have given our best attention to the subject, having in the mean time postponed the completion of our present Report, until we should be in a condition to accompany it with the whole of the evidence, and our remarks thereon.

With the sanction of Government we extended our inquiry to the whole of Ireland, free of all expense to the parties specially interested, instead of limiting it to those cases in which we received applications, (as the terms of the original Act might be construed to require,) because we early found, that such a course was essential for arriving at the whole truth, in order that we might be enabled to frame such regulations as should appear most conducive to the public interest.

We are persuaded that the adjustment of the question, in order to be useful and perfect, must be founded on uniform principles, be applicable to the whole country, and be supported by Legislative Enactment rather than by Bye Laws.

From a consideration of the weight of evidence given before Parliamentary Committees for many years; from the Report of the Commissioners of Inquiry into the Irish Salmon Fisheries in 1836; and, finally, from the evidence collected and the Report furnished by Messrs. Mulvany and Barry, we are led to indulge a hope, that the time is not far distant, when one uniform Close Salmon Season will be applicable by law to both Great Britain and Ireland, there being no reason to doubt but that the habits of the fish are substantially the same in both countries.

To the proposition of a uniform Close Season for the sea and tideways, we apprehend no well-founded objection can be advanced.

But a slight departure from uniformity in the upper or fresh-water portions of rivers, however apparently calculated to give rise to jealousies, will, we conceive, be found, upon investigation, judicious, and, in fact, to be the most expedient compromise (for such only it must be considered) that can be adopted.

We are strongly impressed with the importance, not only to the public, but also to the parties locally interested or possessed of exclusive rights, of having the rivers fully stocked with a supply of early breeding fish, and of the consequent necessity of ceasing from all kinds of fishing for Salmon at an early period of the autumn.

quent necessity of ceasing from all kinds of fishing for Salmon at an early period of the autumn.

Further, we believe, that to open any part of the month of January would, on the whole, be attended with more evil than good; and that the few persons who have heretofore derived advantage therefrom, either under the provisions of the old laws, or by acting contrary to law, will participate largely in the benefits certain to arise from an improved system, efficiently carried out, and will be amply rewarded for any temporary loss they may sustain in being prevented from fishing in that month. We therefore propose—

- 1st, That in the upper or fresh-water portions of rivers throughout Ireland, there shall be a uniform Close Season, as regards *every mode* of fishing for Salmon, from the 15th of September to the last day of February inclusive.
- 2nd, That in the sea and tideways there shall be a uniform Close Season from the 1st of September to the 31st January inclusive.
- 3rdly, That all net fishing for Salmon and Trout shall cease in the upper portion of rivers on the 31st of August; and, that angling only for the fish shall be permitted until the 15th of September.

Some doubt has been expressed whether angling might not be permitted to a later period than the 15th of September. But, after due consideration, we are opposed to any such extension, which would be an exceeding, by so much, of the open period fixed for the greater part of Scotland by the Act 9 Geo. III.

If, in conjunction with a due observance of the limitation above proposed, suitable migration passes be left even in what are considered the latest rivers in Ireland, and if due protection be afforded during the Close Season, we confidently predict that in the course of a very few years the parties really most interested will find, in the improvement of the Fisheries, that their advantage has been best consulted in the refusal to accede to the full extent of their demands.

We wish further to repeat and to impress upon the attention of all parties, that the rivers are the natural nurseries, not merely for the fisheries within their banks and at their mouths, but also *for the public Fisheries on the coast*; and that the times to be allowed for fishing therein, must be regulated by a consideration of what is best on the whole for the public interests.

SIZE OF MESHES OF NETS.

The alteration made by the 8 and 9 Vic. c. 108, in the size of the mesh of the net, has removed many of the objections which, it will be seen by the Appendix, have been urged during the Salmon Fishery inquiry; and will, we anticipate, be found, on the whole, to have effected much good: notwithstanding some parties complain that by this regulation persons in the upper parts of rivers may be deprived of fish which would escape through the nets below, if large meshes were used. We conceive that the fewer minute penal restrictions are imposed the better; and we wish to impress upon complainants that their object will be best and most legitimately promoted by their assisting in enforcing a strict observance of the weekly and annual Close Times, and by the construction of passes for the free migration of the fish.

ASSESSMENT FOR PROTECTION.

Upon the subject of a measure for assessing all parties benefited by the Fisheries for the purpose of raising a local fund for their protection, and for the enforcement of the regulations made by law for the formation of migration passes, &c., we have been much urged; and though the framing of an equitable measure to effect those objects is no doubt encompassed with difficulties, yet seeing the almost total neglect of the parties deriving the largest benefit from the Fisheries, and the injury that must result to the public therefrom, we submit that the matter is well deserving the consideration of the Legislature.

We have the honor to be,

Your Excellency's most obedient humble Servants.

(Signed) HARRY D. JONES.
BROOK T. OTTLEY.
J. RADCLIFF.
WM. T. MULVANY.

Office of Public Works, Dublin,
13th May, 1845.

CONTENTS OF APPENDIX.

	Page
APPENDIX, No. I.—Messrs. Mulvany and Barry's Report on the Inquiry into the State of the Salmon	
Fisheries of Ireland, 1844, 1845	1
Alphabetical List of Places in which Inquiries were held	12
Alphabetical List of Fisheries inquired into	12
Alphabetical List of Persons examined	13
List of Subjects referred to by some of the Witnesses only	16
Abstract of Evidence and Information obtained during an Inquiry into the state of the Fisheries, held with a view to an adjustment of the question of Close Time, 1844, 1845	facing 16
Abstract of Information obtained in reference to the Early Rivers, during the Fishery Inquiry, 1844, 1845	facing 17
APPENDIX, No. II.—Minutes of Evidence taken at the following Places :	
Killorglin	17
Castlemaine	23
Kenmare	25
Bantry	33
Skibbereen	36
Bandon	39
Cork	45
Cappoquin	60
Waterford	71
New Ross	81
Wexford	86
Dublin	90
Londonderry	104
Coleraine	118
Drogheda	137
Rostrevor	141
Strangford	141
Larne	142
Galway	144
Westport	148
Ballina	152
Sligo	154
Tarbert	160
Limerick	165
Ballyshannon	169
Glenties	174
Gweedore	176
Passage	181
New Ross	186
Youghal	189
Kinsale	192
APPENDIX, No. III.—State of the Registry of Fishing Vessels on the Coast of Ireland, to January, 1846, pursuant to the 15th and 16th Sections of the 5th and 6th Victoria, cap. 106 ; showing the additional Vessels and Men registered since January, 1845, from the Returns of the Registering Offices, the Number of Maritime Parishes, Extent of Maritime Boundaries, and the Population of each District, from the Census of 1841	
	194
APPENDIX, No. IV.—An Account of the Receipts and Expenditure of all such Sums of Money as the Commissioners of Public Works, as Commissioners of Fisheries, have received and expended under the provisions of the Act 5 and 6 Vict., cap. 106, for one year, ended 31st December, 1845	
	196
MAP OF IRELAND, showing the Districts into which the Coast has been divided, and the principal Lakes, Rivers, and Fishing Stations	
	facing 198

APPENDIX.

INQUIRY INTO THE STATE OF THE SALMON FISHERIES IN IRELAND,—1844, 1845.

APPENDIX, No. I.

MESSRS. MULVANY AND BARRY'S REPORT ON THE INQUIRY.

APPENDIX, No. I.

*Messrs. Mulvany and
Barry's Report.*

CLOSE SEASON.

Close Season.

THE inquiry upon this subject having been extended throughout the whole of Ireland, this Report, with the accompanying Minutes of Evidence, and other information afforded, during the inquiry, are submitted as soon after its conclusion as the preparation of such a mass of matter, and the consideration required to be given to so important a subject would permit.

To draw deductions from a large amount of evidence, and express opinions founded thereon, for the adjustment of any question affecting the interests of a great number of persons, is at all times an onerous duty; but when that question involves the consideration of the conflicting interests of private parties, and large classes of the community, both frequently clashing with those of the public; and when, in addition, it has been matter of dispute, doubt, and difficulty for more than 200 years, not only in this, but in the sister country, the feeling of doubt in our own capability, and the sense of responsibility with which we approach the performance of such a task, can be very inadequately expressed, but will, we trust, influence those who may be anticipated to differ from us in opinion, as to the conclusions to be drawn.

That the subject is embarrassing and full of difficulties, every one who has carefully studied it, or will read the evidence, we have no doubt will freely admit.

We believe it will also be admitted that the Salmon Fisheries, as an important portion of the industrial resources of this country, were, previous to the passing of the present Fishery Laws in 1842, in a comparatively very neglected state, and that they never did, up to that time, nor do they even now, as a whole, yield more than a small proportionate part of that value of which they are capable, under a proper system.

The conviction of the truth of the last statement encourages us, and we trust will influence all, in coming to the deliberate consideration of the subject, with a view to devise the best system for so important an object;—and in framing any such system, it is well known the vital question is that of Close Season.

That laws or regulations on matters of a practical nature like the Fisheries may be obeyed and carried out for the public weal, they must be understood and acquiesced in by the great majority; there can be little doubt, therefore, that however inconvenient may be the practice of attempting to give reasons for opinions, in this instance, the matter must, to produce conviction and co-operation, be fully discussed.

With this view we wish, in the first place, briefly to advert to some of the difficulties which any person taking an enlarged, impartial, and general view of the question has to contend with, as regards the Salmon Fisheries in Ireland.

DIFFICULTIES AFFECTING THE QUESTION OF CLOSE SEASON.

Difficulties affecting
the Question of
Close Season.

With but few exceptions, and until a very recent period, many even of the persons interested in the Salmon Fisheries were but little acquainted with the natural history of the fish and the important bearing which that knowledge necessarily has upon the decision of this question, and even still a great majority are either ignorant of, or utterly disbelieve, the conclusions which have been clearly demonstrated by repeated experiments and actual

APPENDIX, No. I.
Messrs. Mulvany and
Barry's Report.

Difficulties affecting
the Question of
Close Season.

observation, with reference to the breeding and migration of young Salmon; many preferring to believe that which they have been long accustomed to hear—though never tested,—rather than what appears to them new or unusual.

Where the very first principles for a decision are unknown, or not agreed upon, it would be difficult to expect concurrence in the course to be adopted.

The old laws, making great varieties in the legal seasons to be observed in different districts,—declaring some rivers to be open throughout the year—permitting some and prohibiting other classes of persons to fish at all times—or at different times,—have left (with all the authority of legislative sanction) prejudices behind them, deeply engrafted in men's minds,—influencing their conduct and warping their judgment, even to the extent of preventing the adoption of new or more efficient modes of fishing, though clearly proved to be calculated to increase their wealth.

The somewhat conflicting interests between proprietors, or persons interested in the upper or fresh-water portions of rivers, and those on the sea coast or tideway (which are made still more conflicting, by want of co-operation in those measures which are requisite for their common good) tend greatly to embarrass the decision of the question.

Again, it rarely happens that the impartial inquirer is aided by enlarged views on the part of the persons giving evidence—the witnesses (with some exceptions, highly deserving commendation), in the most perfect sincerity and conviction of the truth of their statements, confine their views to the narrow limit of their own locality; and, without duly weighing the result, even to themselves, of compliance with their demands, seek for that change of season which, under the former state of things, would suit their mode of fishing, their locality, or particular portion of river. Thus, for example, we have had applications for the Close Time to be made during the middle of Summer only; because, from a want of water in the river there was then no run of fish!

Frequently the applications from parties on the coast and tideways are founded on the periods when it has usually been convenient from the state of the weather to fish, or when a good fish was to be had;—irrespective of all those considerations in which they should be most deeply interested, with reference to the spawning or protection of the fish in the upper waters of the rivers—the nurseries of their own fisheries. Indeed, to such an extent has this want of knowledge, or reckless neglect of their own best interests been carried, that we believe the instances are very rare where the proprietors of stake, bag, or draft net fishing on the coast have exerted themselves, or contributed any money whatever to the protection of the breeding fish in the upper waters; excepting, of course, those cases where the same parties possessed fisheries in the rivers.

On the other hand, we have been most urgently pressed by persons interested in small spawning rivers on the coast, and the very upper parts of rivers in the interior, where the fish rarely go, in the present state of things, until near the spawning time, to extend the open period of fishing to that late period of the year when the fish are known to resort to those places; though the ruinous result to the fisheries from such a course is palpable to any one who dispassionately considers the subject; and though, in some instances, they might obtain a much earlier run of the fish, by availing themselves of those provisions of the Act which enable migration passes to be made over existing obstacles.

The variable weather of different years, notwithstanding its well-known results on the migration of the fish and the productiveness of the fisheries, becomes the fruitful source of complaint against the season fixed by law.

The Act of 1842 fixed a uniform Close Time from the 20th August to the 12th February, to come into operation after the 1st of January, 1844. It was not attempted to be enforced until after the 20th of August, 1844; it was not in effect generally observed even then; and we fear, notwithstanding the explanations furnished throughout Ireland, and the anxious appeals made through this department with the aid of the Coast Guard and Police to all persons to co-operate in protection that in very many districts the Close Time, even of last year, has been but very partially observed.

It is very well known by all who have carefully studied the subject, (and the information has been diffused as much as possible,) that three years are required to ascertain fully the results of adopting such a change of Close Time. The necessity of trying, for a few years, some one fixed principle, and the observance of the longest possible Close Time to recruit the neglected, and, in some instances, mismanaged fisheries of the country, are also admitted by all intelligent persons—yet we regret to say such is the impatience—such the force of long habit in other courses, and such the urgency of private interests, (which we are free to admit are suffering some partial but, we conceive, temporary injury,) that we fear it will become necessary for the sake of paramount objects to lose the best opportunity that has

perhaps ever been afforded by the Legislature for testing the means of improving the Salmon Fisheries of Ireland.

In evidence of this necessity we find in some localities the non-observance of the Close Time openly countenanced by respectable persons, even in places where the law has *always* been nearly the same as the present; in others, the offence, when publicly brought to trial—punished with the *lowest fractional penalty* which the discretion vested in the authorities enabled them to inflict; whilst more recently we have been made aware of the open and repeated breach of the law by the owners of fisheries themselves, and the capture of spent fish by respectable persons of such a position in society, as leaves it utterly hopeless to expect that, with such examples before them, the more numerous classes would refrain from similar practices. And all these proceedings, which it is our painful duty to be compelled to detail, are justified on the ground of the season being unsuited to the localities in which such occurrences have taken place, though *sufficient trial has not been afforded to test that season, nor the means pointed out by the law adopted for the improvement of the fisheries.*

It is also observable, that in considering the question of Close Season, few of the witnesses weigh well or indeed are aware of the result which will be produced by the operation of the present law, as regards the various regulations of modes of fishing, and the removal of restrictions contained in the old law, though it is plain that the effect in increasing the number and encouraging the efficiency of the modes of fishing will materially tend to render it important *not to shorten too much* the Close Time.

Thus, for instance, many claims to a peculiar Close Season have been preferred by parties on the grounds that they possessed the entire fishery of the river and its tributaries in which they were interested, but upon examination it almost invariably resulted that this claim had no other legal foundation than the fact that they had hitherto been in the habit of employing and paying water-bailiffs to watch the river, and enforce the then existing law, both as regarded the observance of Close Time, and the prevention of persons fishing who did not possess the money-qualification required by the old law, but repealed by the present. Were it otherwise, however, and the river clearly the property of an individual, still it would be a nursery not merely for his fishery but for those on the coast, and as such his claims must be controlled by what is best for all.

Now in these respects, the practical effect of the new law is not yet nearly developed. The adoption of new modes of fishing on the coast and tideway in some districts is rapidly progressing, in others it is not yet commenced. The effect of the weekly Close Time in allowing the fish to the upper waters has, in some districts where it has been enforced, greatly increased the number of persons fishing, but has not yet had time to produce any effect upon the supply; in other localities the weekly Close Time has not been observed, and consequently its effects are unknown; whilst one of the most important measures in the improvement of the fisheries (if not in the equalization of the habits of the fish), namely, the formation of migration passes over natural and artificial obstacles, has been—we believe, with but one solitary example—wholly neglected throughout Ireland, by the parties most deeply interested. Under such circumstances, it would indeed be difficult to expect a similarity in results or a concurrence in views, and yet it will be readily seen how important is the knowledge of the actual state of facts as regards these practical matters in judging of the value of opinions with reference to districts so circumstanced, or arriving at a just conclusion on the main question of Close Time.

Such (apart from natural difficulties and questions of expediency as to the regulations most easily to be enforced) are some of the practical difficulties in which the consideration of this question is involved; and the evidence to be properly understood with a view to arriving at just conclusions, should be read and considered as a whole, with the full knowledge of those facts and statements.

It is right also to state, that at each place of meeting an opening address was made, explaining the general provisions and objects of the law, and, as far as was practicable, furnishing information of the natural habits of the fish—of the practical modes of improving the fisheries, and observations tending to promote co-operation in their protection. The inquiry generally created a very lively interest, and in almost every instance the fullest information was afforded without reserve.

Whilst we wish that expressions of opinion, on matters little capable of demonstration by facts, though given in evidence on oath, should be received and acted upon with great caution, and under the influence of the statements we have made, we cannot refrain from bearing testimony to the truthful spirit in which that evidence was given, and, as will be seen from its perusal, the very interesting facts adduced, and the very important amount

APPENDIX, No. I.

Messrs. Mulvany and
Barry's Report.

Difficulties affecting
the Question of
Close Season.

APPENDIX, No. I.
Messrs. Mulvany and
Barry's Report.

Difficulties affecting
the Question of
Close Season.

of statistical information furnished by the witnesses. We also desire to refer to the correspondence of gentlemen, who felt so strongly on the matter as to communicate in writing their views, which will be found full of interest, and calculated to elicit the truth, even though a wide difference exists between the opinions expressed.

With these remarks we submit the evidence for consideration, merely observing, that whatever deductions may be drawn from isolated parts of the evidence, we consider the subject one which should be entertained with *enlarged views and a knowledge of the whole*, and have no doubt that many who put forward views with the most perfect sincerity, and the most positive conviction of their rectitude and general applicability, will, upon perusal of equally sincere and positive views of an opposite nature given in other localities, be disposed to reconsider their opinions, and to admit that the question is not so easily settled as they had at first supposed.

Consideration of
Principles and Facts
affecting a Decision
of the Close Time.

CONSIDERATION OF PRINCIPLES AND FACTS AFFECTING A DECISION OF THE CLOSE TIME.

To facilitate co-operation and concurrence in opinion, it is desirable to narrow the matter for discussion to the minimum limits of which it is susceptible. This, perhaps, may best be effected by first stating those propositions or matters affecting the question, in which there is believed to be now a pretty general agreement of opinion—namely,

1. That the public good is to be the object of paramount importance, and is to be effected by adopting that system which will raise the Salmon fisheries to their maximum state of permanent productiveness of this fish in its best condition as an article of food.*

2. That these fisheries must be considered with reference to their commercial value as one of the industrial resources of the country, and not merely with reference to private or local convenience or interests, whilst, at the same time, the least possible amount of private injury should be done in the measures taken for their regulation.

3. That the Salmon fisheries on the sea coast, in the tideway, and the lower part of rivers near the tideway, comprise at present, and may be expected to comprise almost the entire of the commercially valuable or marketable fisheries of the country—that the quantity of fish in the best condition taken in the upper waters of the rivers forms but a small proportion of the whole, and considering both the natural habits of the fish and the extended means of capture on the coast and lower waters, ever must be small.

4. That notwithstanding this and other apparent causes for a conflict of interests between parties interested in the lower fisheries and those interested in the upper waters, there is much common ground for co-operation, it being decidedly the interest of both to have the earliest and largest supply of good fish, whilst it is still more clearly the interest of the lower parties (and thereby of the public) to afford to those above every advantage of which their position admits, consistent with reason and the objects before stated.

5. That the fresh-water parts of rivers and their tributaries, no matter by whom or how held, must be deemed as the natural nurseries for these fisheries for the public weal, and as such the modes and times for fishing in them must be regulated, as the Legislature in this and other countries has always taken power to do.

6. That small rivers, mountain streams entering the sea, and tributaries to larger rivers, to which respectively Salmon only resort a short time before spawning, and, it is presumed, for that purpose alone, cannot be deemed as thereby entitled to have peculiar fishing times allotted to them.

7. That the Close Time cannot be fixed solely with reference to the natural history of the animal or its assumed habits in any locality, as there must be superadded considerations of policy as to promoting co-operation and protection, and of practicability in enforcing and carrying into effect any regulation which may be made.

8. That, in regulations to be enforced throughout a whole country with the aid of public forces, uniformity is desirable, as far as it can be maintained consistently with the foregoing propositions; and that at least there are certain portions of the year which for such objects should be uniformly closed.

9. That the periods of spawning should be closed.

10. That as much time previous to the period of spawning should be closed as will

* Whilst the effect of such a system, whatever it be, is calculated ultimately to benefit, in the greatest degree, the parties having special interests or rights, it must be admitted that in many instances partial loss will, pending the change, be sustained, though we anticipate the resulting benefit will amply remunerate such loss; and it could be shown that the temporary gain could only be obtained by a derogation of the public rights.

allow a sufficient supply of fish to ascend from the sea to stock the river for breeding, on the assumption (in most cases likely to prove true, when the value of the fisheries and the means and rights of fishing become known), that at the latter end of the open season there will be few, if any, fish left uncaptured in the upper waters wherewithal to stock the river.

11. That it is essential to the production of a supply of large-sized Salmon that the spent or parent fish be permitted to return to the sea.

12. That Salmon which enter the river earliest proceed (if not captured) far into the interior of the country—to the upper end of rivers, which are generally deemed the best spawning grounds, and that these fish spawn earliest and return to the sea earliest.

13. That in rivers in which the earliest fish are found it has been the practice to stop fishing early; and in such cases the spawning is over—and *cæteris paribus* the spent fish and fry return to the sea early.

14. That in rivers where the practice of fishing late has been persevered in, the spawning has been continued late without, in many instances, any palpable natural cause; (either in the nature of the spawning grounds, the supply of water, or the species of fish;) and the return of spent fish to the sea, and the supply of good fish to the river are late.

15. That inasmuch as it has been ascertained by experience that spent Salmon become invigorated and restored in a given time after their return to the sea, and in like manner Salmon Fry rapidly increase in size, in a given time, so as to become fit for capture, the detention of the fish whilst in those states in the upper waters by artificial barriers unprovided with migration passes, necessarily serves to produce late or variable fisheries, (or seasons,) and the same causes to some extent affect the ascent of the breeding fish, their period of spawning, and frequently the productiveness of the spawn, *so that the influence of circumstances predominates over natural habits*, and combined with variable periods of fishing tends to produce those variations which are often sought to be met by making variations in the legal season rather than by altering the circumstances which produce the variation, and so restore the natural habits.

16. That without entering upon the discussion of the questions which may be deemed to be settled in Scotland, and in many parts of Ireland, as to the period the young of the Salmon remain in the upper waters, before their first descent to the sea—three years are required fully to develop the results of any change made in the seasons to be observed.

The foregoing facts and conclusions are deducible from, or supported by, the evidence, and however they may militate against the present claims of individuals or localities, they go far to prove the necessity of the course hitherto adopted by the Commissioners in hesitating to make any change in the season as fixed by the Legislature, until it would have had a full and fair trial, and its results become publicly known. When, in addition to the long neglected state of these fisheries, and the increased facilities for capture now afforded, we take into consideration the result which the opening of railways throughout the country will have in increasing the value and demand for Salmon, we cannot but regret the urgent impatience for a change of season, (from parties looking for opening early or fishing late,) which may debar themselves and the country from the full benefit which a more patient trial and cordial co-operation with the authorities in carrying out the present law, would be certain to produce; for even the most interested parties, in seeking for a change, will admit that the strict observance of a long Close Time for a few years, would have been attended with the most beneficial results.

We have always been of opinion that some modification of the Close Time would ultimately become necessary; and although we deprecate immediate change, and fear that the results will not be as beneficial as if made at a later period, we conceive that there has now been collected such an amount of information, in addition to that furnished to Parliament with reference to the English, Scotch, and Irish Salmon fisheries for the last thirty years, as, with a knowledge of the natural history and habits of the fish, will be sufficient to determine the question.

With a view to assist in its determination, we append to the evidence an Abstract in a tabular form of the general result or weight of the evidence on those questions which may be taken to affect the decision as to Close Time, namely, the period of spawning; the periods of migration of the fish in its different states; the present produce; the periods of fishing hitherto observed; the Close Time formally asked for; and the Close Time as provided by the old laws.

Although this Abstract has been carefully prepared from the materials afforded by the evidence, yet we wish it to be distinctly understood to be little more than the "*repute of the country*" as to much of the matter contained in it; upon subjects so likely to elude

APPENDIX, No. I.

Messrs. Mulvany and
Barry's Report.

Consideration of
Principles and Facts
affecting a Decision
of the Close Time.

APPENDIX, No. I.

Messrs. Mulvaney and
Barry's Report.Consideration of
Principles and Facts
affecting a Decision
of the Close Time.

observation as some of those contained in it, we could only expect accuracy as the result of very close and attentive observation scientifically conducted and faithfully recorded for a series of years; but this, it is almost needless to say, has been very rarely, if ever, the case; nor, indeed, does the subject easily, or in some instances, at all, admit of it, involved as the means of observing the habits of the fish are in the circumstances of floods and the darkness of night.

The Abstract, therefore, can only be taken for what it is worth as thus explained; still it shows,—as every naturalist would have expected,—from the uniform climate and circumstances of Ireland, a very general uniformity, or tendency to uniformity, in the habits of the fish throughout the country, and a great similarity with those of England and Scotland: in fact, we have little doubt that the scientific and practical naturalist will be disposed to a great extent to concur in the opinion that the *exceptions to uniformity are mainly attributable to the disturbing effects of local circumstances*, and making due allowances for the want of accuracy in evidence on such “hidden matters,” would find that where the local circumstances were equal and similar in different localities, the habits of the fish were also similar.

Proposed Close Time.

PROPOSED CLOSE TIME.

Still further to narrow the limits of discussion, we proceed step by step.

From the weight of evidence there appears to be no doubt that the months of NOVEMBER and DECEMBER should form part of the general Close Time; we anticipate this will now be almost universally agreed to; though, as may be seen, several of what are designated “the early fisheries” were sought to be kept open during one or both of these months, but the witnesses produced in support of such claims clearly proved that during these months the fish were on the spawning beds throughout the rivers so sought to be kept open; and adhering to the proposition No. 9, that the Close Time should include the spawning time, there can be no doubt that these months should be kept closed. It is at the same time not to be denied that near the mouths of these rivers some fish in good condition are to be found during these months, and from their scarcity that their money value at that time is considerable, but we shall advert to this more fully when speaking of the month of January.

As regards the month of OCTOBER, the great weight of evidence is in favour of closing it, on the principle set forth in propositions Nos. 10, 12, 13, and 14. Opinion in this respect, however, has not been unanimous heretofore, though it is hoped that the information furnished in the evidence will tend to convince parties that it is the interest of all that this month should be entirely closed, as we are convinced, after the most mature consideration, it should be.

It is deserving of remark, that the few rivers in which it is sought to keep open the month of October, have, almost without exception, been grossly neglected up to a very recent period—in some instances fished nearly for the whole year, or to a very late period of the year,—and that the produce of these rivers, compared with their natural capabilities, is quite insignificant.

The chief cases in which it was sought to keep open the month of October are the Slaney in Wexford, part of the Lee, the Bandon, and the Ilan rivers, in Cork. In reference to the evidence in these cases, and on consideration of the periods when spawning, even under present circumstances, begins, and the principles put forth in this report, we believe that it will clearly appear no case is made for opening any part of October; but on the contrary, that it would be detrimental to the best interests of the fisheries to do so.

With reference to small rivers and tributaries, solely resorted to for spawning, we conceive that the principle contained in proposition No. 6 is conclusive, as regards the month of October.

The next period in order of importance and general concurrence of opinion, is the month of JANUARY.

Whilst the weight of evidence as regards the great majority, in number and importance, of the fisheries is in favour of closing the whole of this month, there is much controversy raised as regards it by a few proprietors and persons interested in the fisheries at the mouths of what are called “the early rivers” in Ireland, who, stimulated by the very high price which may be obtained for good fish at that period of the year, and having, either in accordance with the old laws, or in contravention thereof, from their position practised the taking of fish in that month, are still naturally anxious to continue to do so.

To facilitate the consideration of this part of the subject, we have had a separate

Abstract prepared, extracting the information furnished as to the early rivers, so as to bring it into view in one table.

APPENDIX, No. 1.

Messrs. Mulvany and
Barry's Report.

Proposed Close Time.

We believe a careful consideration of the evidence, either as a whole or thus abstracted, and the fact that January is in almost every instance a spawning month, coupled with a concurrence in the principles put forward in propositions Nos. 1, 2, 4, 7, 8, 9, 11, and 15, would of themselves lead to a conviction that the month of January should be closed. We are fully aware that individuals have sustained some loss by reason of this month having been closed for the last two seasons, and that such may be the case for some time to come, though, as before explained, we anticipate much more than an equivalent benefit to their fisheries; but after the fullest and most anxious consideration of all the arguments adduced, we feel convinced it is of importance to the public, and to the fishing interests of the whole districts in which these rivers are situated, that they should be closed during January.

Whilst it is fully admitted that a quantity of good fish has been taken during that month in the places referred to, it is to be borne in mind that these good fish will not be lost to the public by closing January; they will *almost certainly still be taken when the Open Season commences*, either in the upper waters,—whereby the upper proprietors will be interested in the protection of the fisheries,—or in *the majority of cases by the same parties who have hitherto been in the habit of taking them*; as it is almost generally admitted that at that period of the year the fish are not disposed to proceed far up the fresh-water, especially where any natural or artificial barrier exists above the tideway, even though at a later period of the year such obstacle would have little or no effect in stopping their upward progress.

Besides the fact, that in most of those rivers the evidence shows that spawning continues for the whole or a part of the month of January, and the advantage of allowing as much time as possible, consistent with other considerations, for the escape of the parent fish to the sea, before commencing to fish, we shall show, when considering the final arrangements proposed to be made, practical difficulties connected with any attempt to open these rivers in January, which certainly appear to us insuperable;—we allude to their terminating in almost every instance in the same estuaries with late rivers.

We have thus then the months of October, November, December, and January, which we have endeavoured to show should be universally closed, and with respect to which we anticipate in the end a tolerably general concurrence of opinion.

It only remains to consider, as compared with the present Close Season, the periods between the 1st and 12th of February, and between the 20th of August and 30th of September.

With reference to the former period (the first twelve days of February), we are of opinion,—from the evidence, from the quantity of good fish which may be taken under judicious arrangements, from the increased quantity of early fish which increased protection may be calculated to produce, from the value of the fish so taken, from the general concurrence in the old law on the subject, and finally, from the state of the law in Scotland, (with which it is desirable, as far as possible, to be assimilated, where there seems to be no sufficient grounds for a difference,)—that *subject to the conditions and regulations hereinafter contained*, these eleven days should be added to the general Open Season.

Much greater difficulties and difference of opinion may be expected with reference to the latter period,—from the 20th of August to the 30th of September.

Here again it becomes essentially necessary to weigh with caution the evidence given in each case, to consider the former state of the fisheries, and the facts as to their protection or productiveness, and the existence or absence of barriers to the migration of the fish.

On the one hand, seeing the admitted advantages of early spawning; the fact that it generally takes place in the upper and remote parts of rivers; the varieties of seasons as to the supply of flood waters to enable the fish to ascend; the general tendency to spawn in the early part of November where permitted; and the general weight of evidence that to effect these objects *the fish should be permitted to leave the sea on or before the 1st of September*; there is in all these respects strong reasons for the benefit of the public to close the month of September.

On the other hand, the interest of the public, and those who enjoy the commercially valuable part of the fisheries, is importantly involved in producing such an amount of co-operation on the part of those interested in the fresh-water portions of rivers as will insure their actively aiding in protection, and in carrying into effect the laws and regulations for the improvement of the fisheries. Now it is contrary to human affairs to expect this if they do not participate in some of the advantages; and assuming the fisheries to be conducted with all the increased skill and perseverance which may be anticipated to be

APPENDIX, No. 1.

Messrs. Mulvany and
Barry's Report.

Proposed Close Time.

brought to them when improved, it is evident that the persons on the upper parts of rivers would obtain little more than the fish which would pass up during the weekly Close Time, and in occasional floods.

There is, however, a third, and a very serious difficulty. In many important fisheries the parties most deeply interested, in a pecuniary point of view,—from possessing their fisheries near the mouths of the rivers,—express themselves satisfied with the present termination of the Open Season, or, in some instances, ask for even an earlier period. From the facts and arguments we have adduced, it will be seen, that to a great extent, as regards the natural habits of the fish; the benefit of early spawning; and, at all events, the question of *immediate alteration* of the present termination of the Open Time, we are disposed to agree with them. But here is one of the peculiar circumstances to which we adverted in the seventh proposition as illustrating the principle, that the Close Time cannot be fixed solely with reference to the natural habits of the fish. We are quite aware that in some of the cases now referred to, parties from the upper waters did not attend the public meetings and give evidence in favour of being permitted to fish to a later period; but we are equally aware, from our local knowledge, that in some cases such permission is desired—in others it would be sought for at a future time; and that in many, the parties did not attend because, previous to the opening of the weekly Close Time by the present law, the fishing engines below were kept so closed or fished throughout the year that the parties above had no interest in the fisheries,—so that, depending upon the continuance of a similar state of things, they felt too apathetic to attend or urge any claims. In considering, therefore, the general question, in an enlarged point of view, it does not appear right to omit those considerations, because in some instances they were not pressed upon us.

Still it will be seen from the evidence, that even in the late rivers the fish are in such a condition, generally speaking, after the middle of September as to render it undesirable that they should be *taken in* any considerable quantity after that time, and certainly so when considered with reference to the provision of a sufficient stock for the rivers.

Under all these circumstances and considerations, we conceive that the *public* interests will be best promoted by adding, *on the conditions and regulations hereinafter mentioned*, the first fourteen days of September to the general Open Season; however, as to the exact number of days, it will be seen in page 9, we are not quite unanimous.

There would thus be a general Close Time from a fixed day in September to the 31st of January, in which, throughout Ireland, the public forces of the Coast Guard and Constabulary could, pursuant to the present laws, act most efficiently and uniformly in enforcing the observance of the law, and preventing the sale or possession of the fish.

Conditions and
Regulations.CONDITIONS AND REGULATIONS UNDER WHICH PROPOSED CLOSE AND OPEN SEASON SHOULD
BE FIXED.

Sea and Tideways.

In the sea and tideways, where the medium is uniform and the causes which affect the habits of the fish may be considered generally to be equal and uniform, we are decidedly of opinion that the Close Season should be the same, and should be permanently fixed.

For this purpose we are of opinion, having regard to the weight of evidence and the principles submitted, that the Close Season should be from the 1st of September to the 1st of February.

We are quite aware that the beginning or termination of the Open fishing Time will not be satisfactory to many individuals, or perhaps localities; but we have a confident hope that, coupled with other arrangements, it will ultimately prove the best for the common interests of all; and there are, we conceive, insuperable practical difficulties in the way of adopting any other than a uniform Close Time for the sea and tideways.

Whether we turn to the north, south, east, or west, we find adverse and conflicting claims as to the period of closing or commencing the Open Season, not only from rivers entering the same part of an open line of coast, but in a still more remarkable degree from rivers entering into the same (frequently long narrow) estuary or bay—nay, in one instance, two tributaries entering the same river. Where, under such circumstances, is the limit of separation to be placed? What nice or practicable arrangements are to be made whereby those fish *only* are to be taken which are proceeding to the open fishery? How is one half of a bay or estuary to be kept open and the other closed? And how are the fish, in good or bad condition, to be kept in the open or closed portions respectively?

For instance, the Bush, the Bann, and the Foyle, enter the same part of the open coast of the north of Antrim and Derry, and it is well known that the fish of the two latter come from the eastward—passing the mouth of the Bush. At the Bush it is

sought to begin fishing on the 1st of January, in the Bann and Foyle not until the 1st of March. At the Bush they wish to cease fishing on the 12th of August, at the Bann and Foyle on the 1st September (*see Abstract.*) In what practicable or beneficial manner could different seasons be allotted for that plain and open coast? while to add to the difficulty, —for the Roe, which discharges into Lough Foyle and derives its supply of fish in the same way,—it is sought to extend the Open Season to the 20th of September.

Similar circumstances affect almost every part of the open coast, as in the Fane, Glyde, Boyne, Liffey, Bray, Courtown, and Wexford Rivers on the east coast. The Owenca, Inver, Donegal, Ballyshannon, Bundrowes, Sligo, Easky, Moy, and other Rivers entering the one bay or line of coast between Teelin Head in Donegal, and Erris Head in Mayo.

This is still more remarkably the case with some of the other rivers, at the mouth of which it is sought to open the fisheries in January; as for instance, the Rathmelton, which enters the long narrow estuary of Lough Swilly, at the head of which is the late fishery of Letterkenny, in Donegal. The Carra and Laune, which enter Castlemaine Haven with the Maine river, in Kerry. The Curraan, which enters Ballinskelligs Bay, with the Eenagh, in Kerry, and many others which might be enumerated; but the most remarkable of which is the Munhim, which discharges itself into the Owenmore, a river with a late fishery in Erris, county Mayo.

Considering the very small difference which exists in the natural habits of the fish, and how much that difference may be reduced by increased and uniform protection, accompanied with the removal of obstructions or the formation of migration passes over them; and looking forward to the ulterior results, we feel strongly impressed with the conviction that this is the best practicable course to adopt—as regards the sea and tideways.

For the purpose of carrying out this arrangement, and to prevent disputes, we are of opinion that powers must be given to define what, for the purposes of the Act, shall be deemed the termination of the tideway.

We are of opinion also that the use of all fixed engines, or nets of any description, whether in the salt or fresh water, for the capture of Salmon, should be prohibited on and after the 1st of September, in the same way as they are now prohibited after the 20th of August. The reasons for this suggestion as regards the necessary supply or stock for early spawning, will be readily deduced from the evidence and the previous parts of this Report.

We have now to state our views with reference to the fresh-water portions of rivers above the tideway, where the causes (whatever they be) of want of uniformity exist, and where, within the extreme limits already proposed, uniformity is not quite so essential.

Our proposition on this part of the subject is, that these parts of rivers be open from the 1st of March to the 14th or 30th (we are not agreed which) day of September inclusive—that for the open days of September no mode of fishing but angling be permitted—that during the rest of the Open Season the use of nets for taking Salmon, except in the cases where a common or prescriptive right of fishing with nets has been exercised, be strictly confined (as is understood to be the meaning of the Act of 1842) to the proprietors of several fisheries—and finally perhaps that a power be given to the Commissioners to make alterations, whenever proved necessary, on the same conditions as in the Act of 1842, as regards the Open Time above the tideway, but always within the limits of the 1st of February and 14th or 30th (which ever shall be adopted) day of September inclusive.

The exact termination of this Open Time for angling, is the only point upon which we are not unanimous—one of us (Mr. Mulvany) being fully persuaded that the open time should not extend beyond the 14th day of September; whilst the other (Mr. Barry) believes, from a consideration of expediency, that it may be extended to the 30th of September.

We are aware that a proposition to make any difference in the Close Time for rivers, as distinguished from that for the adjacent sea or tideways, may in many instances appear to lead to jealousies, and that it has almost been viewed as a maxim, that the season should be the same for both. Indeed we have ourselves urged this opinion to a limited extent, at the meetings, in exhibiting the impracticability of complying with the various very widely differing claims preferred by persons influenced solely by local considerations. Still we submit that the difference is one which exists in nature; and that limited and guarded as the proposition is, it may be safely adopted, and we are strengthened in this opinion by the following facts and considerations:—

It will be seen that the demands from the upper parts of rivers are very generally to close the month of February, because in some few there are fish spawning at that time, whilst in all there are large quantities of spent fish returning to the sea, which it is desirable should escape unmolested.

APPENDIX, No. I.

Messrs. Mulvany and
Barry's Report.Conditions and
Regulations.Fresh-water Portions
of Rivers above the
Tideway.

APPENDIX, No. I.

Messrs. Mulvany and
Barry's Report.Fresh-water Portions
of Rivers above the
Tideway.

We think this a very wise and prudent demand, and very gladly recommend it for adoption. At the same time it is only to be adopted on account of its expediency, for it is well known that there are large quantities of the spent fish to be found in the rivers in the month of March, and even in April; but the balance of advantages would not be in favour of closing those months, and we can only trust to the production of that cordial spirit of co-operation and good feeling which is essential for carrying out any law, to see the practice of *fishing for spent fish* abandoned.

As regards the jealousies existing or likely to arise from this proposition, it is deserving of consideration, that whilst great public benefit is derived from closing February in the fresh-water portions of rivers, the upper proprietors, or persons interested therein, lose nothing thereby, as any good fish which ascend the river during that period, may be expected to remain above, and to be caught when the season opens in March; and the quantity of good fish which, on the average of years, may be expected to ascend during even the first fourteen days of September, will not only much more than compensate for the closing of February, but we trust be so advantageous as to create a lively interest in the future protection and improvement of the fisheries.

The advantages which the persons on the upper parts of rivers will derive from the more strict observance of the weekly Close Time every where, the formation of migration passes, and the angling during the open days of September, when the sea and tideway fisheries are closed, will, we have every reason to expect, have the most beneficial results. And we conceive we have already shown that in no case would it be desirable, even for the interests of a locality, to permit fishing to a later time.

Assessment for
Protection and
Migration Passes.

Before closing this Report, we deem it an essential part of our duty to point out the absolute necessity of establishing a system of assessment for the protection of those fisheries to be founded on the principles of rating all deriving benefit from them as nearly as possible in proportion to that benefit.

This subject has been strongly urged at almost every meeting. It is abundantly evident that where so many parties are interested, and each can attain the *present advantage* by his own exertion, *a voluntary system will not be carried out, for a future or prospective good to all*, as we have already proved by the fact that in very few instances have the persons most deeply interested,—namely, those on the coast and tideway,—contributed to the protection of the spawning fish, though it is understood very generally they do not object to pay largely if an equitable system could be organized.

By such means alone, however, can funds be expected to be raised to carry out fully the provisions of the Act, and to make local improvements in the construction of passes and otherwise, and though great difficulties certainly exist in making a perfect system of assessment, whilst the fisheries are in their transition state, and before the relative value of different fishing sites or means of fishing are fully developed, yet we conceive a sufficient amount of information has now been obtained to enable a close approximation to a good system being fixed upon, and, at all events, that the paramount importance of the object calls for an early adoption of some system to ensure to the country all the advantages which the principles and regulations of the law are calculated to effect, if vigorously and cordially carried out, through the instrumentality of such a system, and the active aid of the coast guard and constabulary forces, as at present empowered by law.

Benefit of Protec-
tion.

In illustration of the benefits of a steady perseverance in a proper system, we may allude to the Foyle, where the produce has been raised from an average of 43 tons previous to 1823, to a steady produce of nearly 200 tons, including the stake weirs in the estuary, and very nearly to 300 tons, as we believe, in the year 1842.

A more recent example is afforded in the case of the small river of Newport, county Mayo, which was one of those exempt from having any Close Season for proprietors and farmers of fisheries under the old law. It will be seen from the evidence, page 151, that Sir Richard O'Donnell, after the passing of the new Act, set himself about complying with its provisions—employed and paid persons liberally to protect it; and in due time (three years) reaped a full reward, in having raised the produce from half a ton or a ton in a season, to eight ton of Salmon and three ton of White Trout for the season, ending the third year.

It is also gratifying to advert to the general result of the introduction of the Bag Net on the coast of Donegal, which was at one time so violently opposed, that in consequence considerable outrages were committed. It will be seen from the evidence, page 173, that whilst near 100 tons of fish were taken by Bag Net, the produce of the chief fishing river entering that coast “was not diminished.”

Now there are many places in Ireland with as great, or far greater, natural capabilities

than those we have adverted to, and if similar means were taken for the improvement of the fisheries, there can be no doubt similar benefits would result. Indeed, it appears to us impracticable to estimate accurately the amount of benefit or increase in value which may be given to the Salmon fisheries by the establishment of such a system of protection and enforcement of the law as is here proposed, combined with the adoption of the Close Season recommended, not merely as the best, but that which most reasonably may be calculated to protect the fisheries and produce co-operation.

Complaints are made from some localities of a decrease in the fisheries, but these must be received with caution and consideration before conclusions are drawn therefrom, for from the extension of means of fishing *a less quantity may be taken at certain stations, whilst the gross produce is absolutely increased.*

If the regulations proposed in this Report shall, upon the whole, be deemed the most suitable to adopt, it will be evident that the proper course of proceeding will be by a special legislative measure, for though the powers are vested in the Commissioners to make changes in the Close Time by bye-law, such a course would seem to be scarcely applicable to such a general change as is herein proposed, and as appears to us to be necessary for the settlement of the question.

Against any system of making separate seasons for different localities, we wish to record, as the result of the whole inquiry, our thorough conviction that it would be fatal to the best interests of the fisheries and the public—worse indeed than it was under the old laws, where the peculiar privileges ceded to individuals or classes created such a degree of individual interest and exertion, as in some degree counteracted the evil effects of a variable system of Close Time.

In conclusion, whilst we anticipate much discussion and much difference of opinion on this “vexed question,” we trust that the information collected will clear the way for its adjustment, and that this Report, which has become so lengthened from a feeling of necessity to obviate difficulties in the settlement, may serve to narrow the limits for discussion, and lead to that cordial co-operation amongst all classes so essential for the improvement of the fisheries.

APPENDIX, No. I.

*Messrs. Mulvany and
Barry's Report.*Benefit of Protec-
tion.

OFFICE OF PUBLIC WORKS, DUBLIN,
15th April, 1846.

WM. T. MULVANY.
J. REDMOND BARRY.

INDEX TO MINUTES OF EVIDENCE.

ALPHABETICAL LIST OF PLACES IN WHICH INQUIRIES WERE HELD.

Place.	County in which situate.	Page.	Place.	County in which situate.	Page.
Ballina,	Mayo,	152	Killorglin,	Kerry,	17
Ballyshannon,	Donegal,	169	Larne,	Antrim,	142
Bandon,	Cork,	39	Limerick,	Limerick,	165
Bantry,	Do. . . .	33	Londonderry,	Londonderry,	104
Castlemaine,	Kerry,	23	New Ross,	Wexford,	81
Cappoquin,	Waterford,	60	Rosstrevor,	Down,	141
Coleraine,	Londonderry,	118	Skibbereen,	Cork,	36
Cork,	Cork,	45	Sligo,	Sligo,	154
Drogheda,	Louth,	137	Strangford,	Down,	141
Dublin,	Dublin,	90	Tarbert,	Limerick,	160
Galway,	Galway,	144	Waterford,	Waterford,	71
Glenties,	Donegal,	174	Westport,	Mayo,	148
Gweedore,	Do. . . .	176	Wexford,	Wexford,	86
Kenmare,	Kerry,	25			

ALPHABETICAL LIST OF FISHERIES INQUIRED INTO.

Fishery.	County in which situate.	Page.	Fishery.	County in which situate.	Page.
Adrigool,	Cork,	34	Glanmire,	Cork,	56
Annahinchey,	Do. . . .	38	Glenarm,	Antrim,	143
Ardara,	Donegal,	176	Glengarriff,	Kerry,	34
Arrigadeen,	Cork,	44	Glenamoy,	Mayo,	153
Ass or Erive,	Mayo,	150	Glenshesk,	Antrim,	120
Ballycastle,	Antrim,	118-136	Glyde,	Louth,	137
Ballinderry,	Do. . . .	131	Gola Island,	Donegal,	180
Ballinahinch,	Galway,	144	Goolamore,	Mayo,	152
Ballycroy,	Mayo,	151	Ilen,	Cork,	36
Ballina,	Do. . . .	153	Inishboff,	Donegal,	179
Ballysdare,	Sligo,	158	Inishduff,	Do. . . .	176
Ballyshannon,	Donegal,	173	Inishkeel,	Do. . . .	175
Ballyness,	Do. . . .	178	Inishirrer,	Do. . . .	179
Bandon,	Cork,	39	Inishtrahul,	Do. . . .	179
Bann,	Londonderry,	128	Inver,	Do. . . .	172
Barrow,	Kilkenny, Wexford	81	Kenmare,	Kerry,	31
Bartra,	Mayo,	153	Killieries,	Galway and Mayo,	149, 150
Bellclare,	Do. . . .	151	Killybegs,	Donegal,	175
Berne or Rock,	Londonderry,	127	Lacagh,	Do. . . .	176
Blackwater,	Waterford,	60	Laney,	Cork,	49
Blackwater,	Kerry,	29-32	Larne,	Antrim,	142
Blackrock,	Cork,	56	Laune,	Kerry,	17
Bonnet,	Sligo,	157	Lee,	Cork,	45
Boyne,	Louth,	138	Liffey,	Dublin,	90
Brandon Bay,	Kerry,	55	Lough Anina,	Donegal,	179
Brickfields,	Cork,	52	Lough Ea,	Do. . . .	174
Bundrowes,	Leitrim,	169	Lough Derg,	Galway, Tipperary	165
Bungosteen,	Donegal,	176	Lough Nacung,	Donegal,	179
Bunlaghy,	Do. . . .	176	Lough Neagh,	Do. . . .	131
Burrishoole,	Mayo,	151	Lough Nillan,	Do. . . .	175
Bush,	Antrim,	122-136	Lough Melvin,	Leitrim,	171
Carlingford,	Louth,	141	Loughros Beg,	Donegal,	175
Carra,	Kerry,	18-55	Loughros More,	Do. . . .	175-176
Carrigaline,	Cork,	53	Lough Veagh,	Do. . . .	177
Carrigan Head,	Donegal,	176	Magilligan,	Londonderry,	128
Cashen,	Kerry,	160	Maine,	Kerry,	23
Clady,	Donegal,	179	Maine,	Antrim,	123
Clonderlaw Bay,	Clare,	164	McSwyne's Bay,	Donegal,	176
Clonee,	Kerry,	31	Moy,	Mayo,	153
Clugher,	Mayo,	153	Mulkear,	Limerick,	166
Corker,	Donegal,	176	Mullaghmore,	Sligo,	173
Costello,	Galway,	146	Munhin,	Mayo,	152
Culfin,	Do. . . .	149	Nenagh,	Tipperary,	165
Curraan,	Kerry,	25-55	Newport,	Mayo,	151
Cushendall,	Antrim,	143	Nore,	Kilkenny,	71
Delphi,	Mayo,	149	Owenavarra,	Wexford,	86
Donemark,	Cork,	34	Owenea,	Donegal,	174
Downpatrick,	Down,	141	Owenmore,	Mayo,	152
Dowrus,	Galway,	148	Owentocker,	Donegal,	175
Drumcliff,	Sligo,	158	Portbradden,	Antrim,	121
Dundrum,	Down,	141	Portmoon,	Do. . . .	122
Dunlewy,	Donegal,	179	Portnacross,	Donegal,	176
Durru,	Cork,	36	Portnoo,	Do. . . .	175
Eask,	Donegal,	172	Portstewart,	Londonderry,	127
Easky,	Mayo,	158	Portrush,	Do. . . .	126
Ecnagh,	Kerry,	28-55	Poultmounty,	Wexford,	82
Erne,	Donegal,	173	Rathmelton,	Donegal,	104
Fane,	Louth,	138	Redbay,	Antrim,	143
Faughan,	Londonderry,	111	Renvyle,	Galway,	145-148
Feal,	Kerry,	160	Roe,	Londonderry,	106
Finn,	Londonderry,	109	Roughy,	Kerry,	30
Foyle,	Londonderry,	107-118	Rye,	Donegal,	179
Galway or Corrib,	Galway,	147	Scarriff,	Clare,	165
Geal,	Kerry,	161	Shannon, (Lower,)	Limerick & Clare,	162
Gheestha,	Do. . . .	18	Shannon, (Upper,)		165

ALPHABETICAL LIST OF FISHERIES INQUIRED INTO—*continued*.

Fishery.	County in which situate.	Page.	Fishery.	County in which situate.	Page.
Shimna,	Down,	141	St. John's Point,	Donegal,	173-175
Slaney,	Wexford,	87	Strand,	Londonderry,	128
Sligo,	Sligo,	154-159	Suir,	Waterford,	73
Snave,	Cork,	33	Teelin Head,	Donegal,	173
Sneem,	Kerry,	29	Tor Head,	Antrim,	118
Spiddal,	Galway,	146	Tory Island,	Donegal,	179
			Tullaghan,	Mayo,	152

ALPHABETICAL LIST OF PERSONS EXAMINED, OR FROM WHOM COMMUNICATIONS WERE RECEIVED.

Page.	Names.	Profession or Occupation.	Fishery to which Evidence refers.	County in which Fishery is situate.
172	Adair, Mr.	Agent	Eask	Donegal.
77	Ahern, William	Fisherman	Suir	Waterford.
112	Armstrong, Alexander	Water-bailiff	Foyle	L.Derry, Donegal.
153	Atkinson, Mr. Edward	Manager of fishery	Moy or Ballina	Mayo.
92	Bacon, Anthony	Angler	Liffey	Dublin.
163	Barrett, John	Fisherman	Lower Shannon	Limerick, Clare.
53	Bastable, Charles	Ditto	Lee	Cork.
39	Becher, Richard H. H., esq. . . .	Land proprietor	Ilen	Cork.
172	Beirne, James	Fisherman	Inver	Donegal.
134	Blacker, Lieut.-Colonel	Land proprietor	Lough Neagh	
165	Boyce, John, jun., esq. . . .	Sec. to Fishery Assoc. . . .	Upper Shannon	
90	Browne, Thomas	Fisherman	Liffey	Dublin.
150	Browne, Dominick	Water-bailiff	Ass or Errive	Mayo.
158	Browne, George	Fisherman	Ballysadare	Sligo.
164	Browne, James	Fishery agent	Lower Shannon	Limerick, Clare.
167	Bryan, Edmond	Water-bailiff	Upper Shannon	
72	Bryan, Edward	Ditto and fisherman	Nore	Kilkenny.
105	Buchanan, Francis	Ditto	Rathmelton	Donegal.
40	Bullen, Mr. William	Lessee of fishery	Bandon	Cork.
25, 33	Butler, James, esq. . . .	Proprietor of fishery	Curraan	Kerry.
28, 55	Butler, James, jun., esq. . . .		Ditto	Kerry.
48	Callaghan, Mr. John	Fishery agent	Lee	Cork.
98	Campbell, William	Fisherman	Liffey	Dublin.
114	Campbell, James	Ditto	Lough Foyle	L.Derry, Donegal.
86	Campion, Henry, esq. . . .	Sec. to Fishery Assoc. . . .	Barrow	Kilkenny, Wexford.
89	Carley, Joseph	Fisherman	Slaney	Wexford.
77	Carroll, Richard	Ditto	Suir	Waterford.
137	Carroll, Patrick	Ditto	Glyde	Louth.
138	Casey, Thomas	Ditto	Glyde and Dee	Louth.
169	Cassidy, Mr. Patrick	Lessee of fishery	Bundrowes	Donegal.
149	Caulfield, Mr. Patrick	Steward	Delphi	Mayo.
166	Clancy, Thomas	Fisherman	Upper Shannon	
59	Clear, Mr. William	Mill owner	Lee	Cork.
22	Clifford, Cornelius	Fisherman	Carra	Kerry.
137	Coddington, —, esq. . . .	Land proprietor	Boyue	Louth.
21	Coffee, John	Fisherman	Carra	Kerry.
116	Coghlan, Mr. George	Fish factor	Lough Foyle	Derry, Donegal.
51	Coleman, Denis	Fisherman	Lee	Cork.
140	Connell, John	Ditto	Boyne	Louth.
174	Connigle, Terence	Ditto	Erne	Donegal.
22	Connor, Patrick	Ditto	Carra	Kerry.
123	Cooper, John	Lessee of fishery	Maine	Antrim.
35	Corkery, Mr. John Brien	Ditto and farmer	Snave	Cork.
41	Cotter, Mr. John	Clerk of petty sessions	Bandon	Cork.
79	Cox, Mr. Pierce	Weir owner	Barrow	Kilkenny, Wexford.
56	Crinnion, Michael	Fisherman	Blackrock	Cork, Waterford.
60	Croker, John Dillon, esq., J.P. . . .	Land proprietor	Blackwater	Cork.
56	Crooke, Mr. William		Lee	Cork.
116	Cruise, John	Fisherman	Lough Foyle	L.Derry, Donegal.
100	Cullen, William	Ditto	Liffey	Dublin.
143	Dale, William	Ditto	Glenarm	Antrim.
33	Daly, Samuel	Ditto	Snave and Ballylicky	Cork.
107	Daniel, Mr. Isaac	Manager of fishery	Foyle and Faughan	L.Derry, Donegal.
114	Deeny, James	Fisherman	Lough Foyle	L.Derry, Donegal.
82	Delahunty, Edward	Water-bailiff	Barrow	Wexford, Kilkenny.
77	Delany, Edward	Fisherman	Suir	Waterford.
93	Dempsey, Patrick	Ditto	Liffey	Dublin.
24	De Moleyns, Rev. Wm. A. . . .	Rector	Laune	Kerry.
120, 136	Dickson, Mr. Hugh	Manager of fishery	Ballycastle & Carrickarede	Antrim.
79, 80	Dobbyn, Michael, esq. . . .	Weir owner	Suir	Waterford.
21	Dodd, Mr. H. W. . . .	Fish factor	Carra	Kerry.
20	Dogherty, James	Fisherman	Laune	Kerry.
31	Duckett, Henry	Lessee of fishery	Kenmare	Kerry.
140	Duggan, Patrick	Water-bailiff	Boyne	Louth.
168	Dunraven, Lord	Land proprietor	Fisheries generally	
82	Eaton, John	Water-bailiff	Barrow	Kilkenny, Wexford.
35	Eccles, Mr. Thomas	Farmer	Snave	Cork.
78	Elliott, George	Fisherman	Suir	Waterford.
160	Elliott, Alexander, esq. . . .	Land proprietor	Feal	Kerry.
138	Elphinston, John	Fisherman	Fane	Louth.
168	Enright, John	Ditto	Upper Shannon	Cork.
36	Evans, Mr. Robert	Farmer	Ilen	Donegal.
175	Evans, James N., esq. . . .	Agent	Donegal Coast	Cork.
36	Evanson, Mr. R. T. . . .	Farmer	Durruis	

Page.	Names.	Profession or Occupation.	Fishery to which Evidence refers.	County in which Fishery is situate.
153	Ferguson, Hugh . . .	Lessee of fishery . . .	Glenamoy . . .	Mayo.
18	Ferris, James . . .	Fisherman . . .	Launc . . .	Kerry.
73	Ffennell, William J., esq. . .	Land Proprietor . . .	Suir . . .	Waterford.
133	Ffonde, Francis, esq. . .	Ditto . . .	Lough Neagh. . .	
139	Finglass, Bernard . . .	Fisherman . . .	Boyne . . .	Louth.
61	Fitzpatrick, Michael . . .	Ditto . . .	Blackwater . . .	Cork, Waterford.
158	Flynn, Thomas . . .	Fisherman . . .	Easky . . .	Mayo.
21	Foley, James . . .	Ditto . . .	Carra . . .	Kerry.
63	Foley, Patrick, esq. . .	Lessee of fishery . . .	Blackwater . . .	Cork, Waterford.
62	Foot, Mr. Edward . . .	Farmer . . .	Ditto . . .	Do.
179	Forster, Francis, esq. . .	Agent . . .	Clady . . .	Donegal.
38	French, John, esq. . .	Land proprietor . . .	Ilen, Annahinchy, & Rowry . . .	Cork.
174	Friburn, William . . .	Fisherman . . .	Erne . . .	Donegal.
152	Gallagher, Michael . . .	Lessee of fishery . . .	Munhim and Owenmore . . .	Mayo.
177	Gallagher, Owen . . .	Water-bailiff . . .	Lacagh . . .	Donegal.
179	Gallagher, Edward . . .	Fisherman . . .	Clady . . .	Do.
179	Gallagher, James . . .	Ditto . . .	Ditto . . .	Do.
92	Gass, Mr. John . . .	Fish factor . . .	Liffey . . .	Dublin.
124	Gibson, John . . .	Ditto . . .	Portrush . . .	Londonderry.
162	Glin, The Knight of . . .	Land proprietor . . .	Lower Shannon . . .	Limerick, Clare.
28, 29, 32	Godfrey, William, esq. . .	Proprietor of fishery . . .	Blackwater . . .	Kerry.
46, 58	Gollock, Mr. Lewis . . .	Farmer . . .	Lee . . .	Cork.
124	Greene, —, esq. . .	Agent to Irish Society . . .	Bann . . .	Londonderry.
126	Gregg, Mr. William . . .	Lessee of fishery . . .	Portrush . . .	Do.
111	Gregor, Mr. John . . .	Accountant . . .	Foyle . . .	Do.
128	Griffith, Mr. John . . .	Manager of fishery . . .	Bann and Lough Neagh. . .	
159	Hamilton, Lieut. R.N. . .	Insp. Com. Coast Guard . . .	Mullaghmore . . .	Sligo.
165	Harnett, Dan. Creagh, esq. J.P. . .	Land proprietor . . .	Lower Shannon . . .	Limerick, Clare.
78	Harris, Thomas, esq. . .	Barrister . . .	Suir, Nore, Barrow. . .	
180	Hart, George Vaughan, esq. . .	Land proprietor . . .	Lacagh . . .	Donegal.
87, 90	Hector, James . . .	Fisherman . . .	Slaney and Owenevarragh . . .	Wexford.
163	Hector, John . . .	Ditto . . .	Lower Shannon . . .	Limerick, Clare.
62	Hendly, James . . .	Ditto . . .	Blackwater . . .	Cork, Waterford.
29	Kennedy, John . . .	Water-bailiff . . .	Blackwater . . .	Kerry.
111	Henry, David . . .	Manager of fishery . . .	Foyle and Faughan . . .	Londonderry.
161	Hewson, George, esq. . .	Land proprietor . . .	Cashen . . .	Kerry.
76	Hickey, James . . .	Fisherman . . .	Suir . . .	Waterford.
30, 31	Hickson, Mr. . . .	Agent . . .	Roughly . . .	Kerry.
105	Hillanan, Edward . . .	Fisherman . . .	Rathmelton . . .	Donegal.
150	Hildebrand, Mr. . . .	Agent . . .	Ass or Errive . . .	Mayo.
67	Hodnett, Mr. John . . .	Weir owner . . .	Blackwater . . .	Cork, Waterford.
164	Hodnett, Mr. Thomas P. . .	Ditto and fish factor . . .	Lower Shannon . . .	Limerick, Clare.
38	Horan, John . . .	Angler . . .	Ilen . . .	Cork.
141	Hudson, Mr. John H. . .	Superin. Boyne Navig. . .	Boyne . . .	Louth.
106	Hughes, Andrew . . .	Fisherman . . .	Roe . . .	Londonderry.
84	Hunt, John . . .	Fish factor . . .	Barrow . . .	Wexford, Kilkenny.
141	Hunter, Mr. . . .	Agent . . .	Shinna . . .	Down.
41	Hussey, Joseph . . .	Fish factor . . .	Bandon . . .	Cork.
33, 36	Hutchins, Mr. . . .	Sec. to Fishery Assoc. . .	Snave . . .	Do.
179	Irvine, John . . .	Agent . . .	Buninver . . .	Donegal.
71	Izod, Major William . . .	Land proprietor . . .	Nore . . .	Kilkenny.
63	Jackson, Geo. Bennett, esq. . .	Ditto . . .	Blackwater . . .	Cork, Waterford.
140	Johnson, Mr. Walter . . .	Lessee of fishery . . .	Boyne . . .	Louth.
172	Johnstone, Robert St. George . . .	Barrister . . .	Bundrowes & Lough Melvin . . .	Leitrim.
21	Jones, Thomas . . .	Fisherman . . .	Carra . . .	Kerry.
160	Julian, Christopher, esq. . .	Land and fishery prop. . .	Cashen . . .	Do.
143	Kane, John . . .	Fisherman . . .	Glenarm . . .	Antrim.
168	Kane, Terence . . .	Ditto . . .	Upper Shannon . . .	
84	Kavenagh, James . . .	Ditto . . .	Barrow . . .	Kilkenny, Wexford.
66	Keane, Sir Richard, bart. . .	Land proprietor . . .	Blackwater . . .	Cork, Waterford.
18, 27, 29, 54, 69	Keays, Christopher J., esq. . .	Fish merchant and weir owner . . .	Laune, Carra, Blackwater, Lee, and Shannon. . .	
77	Kelly, Maurice . . .	Fisherman . . .	Suir . . .	Cork, Waterford.
105	Kelly, Charles . . .	Fish factor . . .	Rathmelton . . .	Donegal.
120	Kelly, John . . .	Fisherman . . .	Ballycastle . . .	Antrim.
150	Kendrigan, James . . .	Ditto . . .	Killieries . . .	Mayo, Galway.
147	Keogh, Mr. Richard . . .	Lessee of fishery . . .	Galway or Corrib . . .	Galway.
158	Kerrigan, Brian . . .	Fisherman . . .	Drumcliff . . .	Sligo.
103	Kimberly, F. E. . .	Ditto . . .	Liffey . . .	Dublin.
138	Kirkwood, John . . .	Gamekeeper . . .	Boyne . . .	Louth.
124, 126, 136	Knox, S. W. esq. . .	Solicitor . . .	Antrim and L. Derry coast . . .	
153	Knox, Mr. . . .	Proprietor of fishery . . .	Clugher . . .	Mayo.
56	Lane, Thomas B. esq. . .	Sec. to Fishery Assoc. . .	Glanmire . . .	Cork.
106	Lane, William, esq. . .	Solicitor . . .	Roe . . .	Donegal.
158	Langan, Thaddeus . . .	Fisherman . . .	Easky . . .	Mayo.
24	Leahy, Henry, esq. . .	Agent . . .	Laune . . .	Kerry.
171	Lees, John Cathcart, esq. . .	Land Proprietor . . .	Bundrowes & Lough Melvin . . .	Leitrim.
99	Lewis, William, esq. . .	Agent . . .	Liffey . . .	Dublin.
173	Lipsett, Mr. Thomas . . .	Manager of fishery . . .	Ballyshannon . . .	Donegal.
110	Little, George . . .	Ditto . . .	Foyle . . .	L. Derry, Donegal.
104	Logue, Charles . . .	Clerk . . .	Rathmelton . . .	Donegal.
21	Lyan, Timothy . . .	Fisherman . . .	Carra . . .	Kerry.
81, 84	Magee, Mr. Patrick . . .	Merchant . . .	Barrow . . .	Kilkenny, Wexford.
77	Maguire, Philip . . .	Fisherman . . .	Suir . . .	Waterford.
29	Mahony, Rev. Denis . . .	Proprietor of fishery . . .	Blackwater . . .	Kerry.
75	Mahony, John . . .	Fisherman . . .	Suir . . .	Waterford.
149	Malley, Edward . . .	Ditto . . .	Renvyle . . .	Galway.
138	Malone, William . . .	Lessee of fishery . . .	Boyne . . .	Louth.

Page.	Names.	Profession or Occupation.	Fishery to which Evidence refers.	County in which Fishery is situate.
154, 159,	Martin, Abraham, esq.	Proprietor of fishery	Sligo	Sligo.
83	Matthews, Stephen	Fisherman	Barrow	Kilkenny, Wexford.
141	Maxwell, J. P., esq.	Land proprietor	Downpatrick	Down.
174	M'Afee, William	Manager of fishery	Owenea and Owentocker	Donegal.
133	M'Allendon, Owen	Fisherman	Lough Neagh	
106	M'Allion, John	Fisherman	Roe	Londonderry.
143	M'Auley, John	Ditto	Cushendall	Antrim.
143	M'Auley, James	Ditto	Ditto	Do.
163	M'Auliffe, Patrick	Lessee of fishery	Lower Shannon	Limerick, Clare.
176	M'Bride, Mr. John	Ditto	Lacagh	Donegal.
30	M'Carthy, Daniel, esq.	Land proprietor	Roughly	Kerry.
30	M'Carthy, Denis, esq.	Ditto	Ditto	Do.
31	M'Carthy, Florence, esq.	Ditto	Ditto	Do.
37	M'Carthy, Charles	Farmer	Ilen	Cork.
45	M'Carthy, —, esq.	Barrister	Lee	Do.
113	M'Corkell, —, esq.	Solicitor	Lough Foyle	L. Derry, Donegal.
121	M'Coy, Archy	Lessee of fishery	Portbradden	Antrim.
162	M'Elligott, Thomas	Fisherman	Feal	Kerry.
91	M'Evitt, Patrick	Ditto	Liffey	Dublin.
133	M'Hale, John	Ditto	Bartra	Mayo.
40	M'Intosh, Mr. Johnstone	Manager of fishery	Bandon	Cork.
128	M'Kirgan, Mr. Daniel	Lessee of fishery	Magilligan	Londonderry.
109	M'Mineman, Mr. Daniel	Ditto	Finn	Do.
171	M'Nulty, Edward	Water-bailiff	Lough Melvin	Leitrim.
44	Meade, Mr. Adam	Farmer	Bandon	Cork.
39	Miller, John	Fisherman	Ditto	Do.
120, 136	Miller, Alexander, esq., J.P.	Land proprietor	Ballycastle	Antrim.
122	Miller, Allan	Lessee of fishery	Portmoon	Do.
164	Molony, Mr. Daniel	Fishery agent	Clonderlaw Bay	Clare.
53	Morgan, Mr. James	Weir owner	Carrigaline	Cork.
23	Moriarty, John	Ditto	Maine	Kerry.
44	Moore, Andrew	Manager of fishery	Bandon	Cork.
147	Morris, Martin, esq., J.P.	Land proprietor	Spiddal	Galway.
127	Morrison, John	Lessee of fishery	Portstewart	Londonderry.
162	Morton, Mr. Daniel	Ditto	Lower Shannon	Limerick.
52	Moynahan, Michael	Fisherman	Lee	Cork.
113	Mulhern, Richard	Ditto	Lough Foyle	L. Derry, Donegal.
114	Munn, John, esq.	Merchant	Ditto	Do.
20	Murphy, Denis	Fisherman	Laune	Kerry.
22	Murphy, Denis	Ditto	Carra	Do.
45	Murphy, James, esq.	Land proprietor	Lee	Cork.
49	Murphy, John	Water-bailiff	Lee	Do.
49	Murphy, Edward	Carpenter	Lee	Do.
84	Murphy, Michael	Fisherman	Barrow	Kilkenny, Wexford.
89	Murphy, Philip	Ditto	Slaney	Wexford.
83	Murray, Mr. Patrick	Fish factor	Barrow	Kilkenny, Wexford.
146	Naughten, Edmond	Water-bailiff	Costello	Galway.
151	Nixon, Mr. William	Lessee of fishery	Burrischoole	Mayo.
33	O'Connell, Maurice, esq.	Land proprietor	Curraan	Kerry.
146	O'Connor, Francis	Manager of fishery	Costello	Galway.
151	O'Donnel, Sir R. A.	Land and fishery prop.	Newport and Ballycroy	Mayo.
49	O'Donohoe, Michael	Fish factor	Lee	Cork.
28, 55	O'Dowd, Mr. John	Lessee of fishery	Eenagh, Carra, Brandon Bay	Kerry.
147	O'Flaherty, Mr. G. F.		Oughterard	Galway.
52	O'Keefe, Mr. Keefe	Mill owner	Lee	Cork.
178	Olphert, Wybrants, esq.	Land proprietor	Ballyness	Donegal.
147	O'Malley, Edward, esq.		Spiddal	Galway.
79	O'Neill, Mr. A. N.	Weir owner.		
100	O'Neill, Richard	Steward	Liffey	Dublin.
127	O'Neill, Mr. Robert	Lessee of fishery	Berne and Strand	Londonderry.
22	O'Sullivan, Daniel	Fisherman	Carra	Kerry.
28	O'Sullivan, Mr. Timothy	Farmer	Curraan	Do.
28	O'Sullivan, Daniel	Fisherman	Eenagh	Do.
31	O'Sullivan, Mr. Philip	Lessee of fishery	Cloncee	Do.
33	O'Sullivan, Eugene, esq.	Agent	Curraan	Do.
139	Owen, Patrick	Fisherman	Boyne	Louth.
39	Palmer, Thomas	Ditto	Bandon	Cork.
86	Paskins, John	Manager of fishery	Owenavarra	Wexford.
42	Payne, Mr. John	Ditto	Bandon	Cork.
18	Power, Thomas	Fishery agent	Laune and Carra	Kerry.
145	Purdon, Simon G., esq. D.L.	Land proprietor	Upper Shannon.	
131	Quinn, Lewis	Water-bailiff	Ballinderry & Lough Neagh	
53	Raines, Andrew	Fisherman	Lee	Cork.
54	Redding, John	Ditto	Carrigaline	Do.
157	Regan, Brian	Ditto	Sligo	Sligo.
135, 142	Reilly, Peter	Ditto	Cushendall	Antrim.
118	Rennie, John	Ditto	Tor Head and Ballycastle	Do.
68	Reynett, Mr. Nathaniel	Weir owner	Blackwater	Cork, Waterford.
144, 148	Robertson, John	Lessee of fishery	Ballinahinch and Renvyle	Galway.
121	Rogers, William	Fisherman	Portbradden	Antrim.
157	Rogers, Terence	Ditto	Sligo	Sligo.
68, 70	Ronayne, Mr. Thomas	Weir owner & fish mer.	Blackwater	Cork, Waterford.
81	Ryan, Stephen	Fisherman	Barrow	Kilkenny, Wexford.
122	Scally, James	Manager of fishery	Bush	Antrim.
173	Scott, Hugh, esq.	Lessee of fishery	Inver	Donegal.
44	Sealy, Rev. Armiger	Land proprietor	Arrigadeen	Cork.
164	Sheahan, Daniel	Fisherman	Lower Shannon	Limerick.
174	Sheill, Miss Alicia	Lessee of fishery	Ballyshannon	Donegal.
151	Simmonds, Charles	Manager of fishery	Belleclare	Mayo.
120	Simpson, Alexander	Fisherman	Glenshesk	Antrim.

Page.	Names.	Profession or Occupation.	Fishery to which Evidence refers.	County in which Fishery is situate.
116	Smith, Thomas . . .	Ditto . . .	Lough Foyle . . .	L. Derry, Donegal.
137	Stafford, Mr. Hugh . .	Land proprietor . .	Glyde and Dee . .	Louth.
66	Stewart, Wm Villiers, esq.	Ditto . . .	Blackwater . . .	Cork, Waterford.
104	Stewart, Sir James . .	Proprietor of fishery .	Rathmelton . . .	Donegal.
156	Stewart, John . . .	Manager of fishery .	Sligo . . .	Sligo.
18	Sugrue, John . . .	Water-bailiff . . .	Gheestha . . .	Kerry.
30	Sullivan, Owen . . .	Fisherman . . .	Roughty . . .	Do.
31	Sullivan, Daniel . . .	Ditto . . .	Kenmare . . .	Do.
49	Sullivan, Murty . . .	Ditto . . .	Laney and Lee . .	Cork.
62	Swaine, Mr. Robert . .	Farmer . . .	Blackwater . . .	Cork, Waterford.
34	Sweeny, Patrick . . .	Fisherman . . .	Snaive, Adrigoole, and Donemarek . . .	Cork.
17	Tanguay, Robert . . .	Water-bailiff . . .	Laune . . .	Kerry.
76	Tobin, Thomas . . .	Fisherman . . .	Suir . . .	Waterford.
146	Tracy, James . . .	Ditto . . .	Spiddal . . .	Galway.
174	Tredennick, Rev. George	Rector . . .	Fisheries generally.	
137	Upton, Mr. . . .		Glyde . . .	Louth.
23	Walker, Mr. John . . .	Farmer . . .	Maine . . .	Kerry.
42	Walsh, John . . .	Fisherman . . .	Bandon . . .	Cork.
49	Walsh, Daniel . . .	Ditto . . .	Lee . . .	Do.
83	Walsh, Mr. John . . .	Merchant . . .	Slaney . . .	Wexford.
128	Watson, Mr. John . . .	Lessee of fishery . .	Downhill . . .	Londonderry.
57	Webber, E., esq. . .		Lee . . .	Cork.
177	Weir, Mr. George . . .	Lessee of fishery . .	Lacagh . . .	Donegal.
93, 100	Worthington, Robert, esq.	Proprietor of fishery .	Liffey . . .	Dublin.
115	Young, Edward . . .	Fisherman . . .	Lough Foyle . . .	Londonderry.

SUBJECTS REFERRED TO BY SOME OF THE WITNESSES ONLY.

As nearly all the persons who were examined gave evidence of the spawning, migration, state of the fish at particular months, observance of the law, &c., an index in reference to these matters would be merely a direction to every page in the book. The names of the Witnesses, therefore, and the Fishery to which the evidence refers, having been given, it remains but to particularize the subjects to which reference was not made by all.

	Page		Page
AMENDMENTS OF THE ACT SUGGESTED, 45, 46, 64, 96, 100, 125, 129, 131, 172		OBSTRUCTIONS :	
ANGLING :		Boyne,	140
Encouragement of—		Carragaline,	54
Ballinahinch,	141	Clydagh,	154
Bundrowes,	171	Costello,	146
Nore,	73	Downpatrick,	141
Owenea, Owentocker, &c.	176	Dowrus,	149
Restriction to—		Faughan,	111
Boyne,	140	Foyle,	107
Lee,	51	Ilen,	38
Liffey,	91	Lee,	47
Roughty,	30	Liffey,	90-97
Sligo,	157	Maine,	23
Regulations for—		Nore,	71, 72
Bush,	123, 136	Poulmounty,	82
Sligo,	157	Spiddal,	146, 147
Snaive,	34	OYSTER FISHERY,	88, 113-116, 151, 179
ASSESSMENT FOR PROTECTION OF FISHERIES, 46, 161, 165, 166, 167, 172		PIERS AND HARBOURS, want of, 143, 175, 176, 179, 180	
BAG NET FISHERY, 87, 97, 98, 100, 119, 128, 142, 146, 149, 153, 162, 173, 175		POLLEN FISHERY,	131, 132, 133, 137, 171
EEL FISHERY,	123, 140, 154, 167, 174	Paper in reference to,	134
GILPIN,	142	PROTECTION :	
GRAVELLING AND FRY :		Advantages consequent on, 20, 29, 32, 55, 56, 83, 109, 109, 151	
Opinions as to Natural History of—		Associations for, 33, 39, 60, 62, 73, 84, 165, 168, 171	
Boyce, John, jun., esq.	166	SEASON :	
Brown, Thomas,	90	Papers, Letters, Memorials, &c. in reference to—	
Coleman, Denis,	52	Dunraven, Lord,	168
Cotter, Mr. John,	41	Evans, Mr. Robert,	37
Croker, John Dillon, esq.	60	Fishermen of Blackrock,	45
Crooke, W., esq.	56	„ Barrow,	80
Daniel, Mr. Isaac,	108	„ Nore,	81
Ffennell, W. J., esq.	73	Fishery Association, Nore,	72
Foley, Patrick, esq.	66	Glin, Knight of, and others,	165
Foot, Mr. E.	62	Hector, James,	90
Gallagher, Owen,	77	Leahy, Henry, esq.	24
Gollock, Mr. Lewis,	47	Lessees of Fisheries, Antrim,	124, 136
Hendley, James,	62	Martin, Abraham, esq.	159
Johnstone, R. St. George, esq.	172	Moleyns, Rev. William De,	24
Mahony, John,	75	Sheil, Miss Alicia,	174
Sullivan, Murty,	50	Webber, E., Esq.	57
Webber, E., esq.	57	Worthington, Robert, esq.	93, 100, 102
Worthington, R., esq.	96	SPRAT FISHERY,	40, 53, 68, 69, 77, 78, 181-193
HERRING FISHERY,	53, 90, 113, 115, 135, 175	STAKE NETS,	53, 54, 67, 100, 109, 110, 162-164
MINIMUM PENALTIES :		TRIBUTARY RIVERS to the—	
Opinions in reference to, 60, 72, 75, 129, 161, 166		Barrow,	86
OBSTRUCTIONS :		Blackwater,	60
Annahinchy,	44	Bundrowes,	170
Ballysadare,	158	Corrib,	147
Bann,	130, 131	Lacagh,	177, 180
Barrow,	82, 86	Laune,	17
Blackwater (Waterford),	60-66	Lee,	59
Blackwater (Meath),	138	Nore,	71, 81
		Shannon,	166
		WATER-BAILIFFS, instructions to,	116
		Appointments of,	118-169

RIVER.	Fishery District in which situate, according to the division of the Coast made in 1843.	Catchment Basin of River. Square Miles.	MIGRATION.																	
			SPAWNING.			Descent of Spent Fish after Spawning.			Descent of Fry.			Spring Fish going up.			Peal or Grilse going up.			Harvest or Spawning Fish going up.		
			Begins.	Great bulk of.	Ceases.	Begins.	Greatest number of.	Ceases.	Begins.	Greatest number of.	Ceases.	Begins.	Greatest number of.	Ceases.	Begins.	Greatest number of.	Ceases.	Begins.	Greatest number of.	Ceases.
1. Liffey, . . .	Dublin, . . .	568.3	end Oct.	Nov. Dec.	January	January	Jan. Feb.	March	1st April	April, May	May	December	Jan. Feb.	May	May	May, June, July	July	August	September	November
2. Owenavarra, . . .	Gorey, . . .	76.	1st Nov.	beginning Dec.	end Jan.	December	Jan. Feb.	March	end March	April	June	March	March to June	June	June	June, July	August	August	Oct. Nov.	
3. Slaney, . . .	Wexford, . . .	815.4	November	Dec. Jan.	March	February	Feb. Mar. April	May	end March	April, May	July	February	February	April	May	May, June	October	October	Oct. Nov.	
4. Barrow, . . .	Waterford, . . .		October	Nov. Dec. Jan.	March							January	February			June, July	August	August	Oct. Nov.	
5. Nore, . . .	Ditto, . . .	3400.2	October	Dec. Jan.	March	December	April, May, June	August	March	April	June	March	April, May	May	June	July, August	September	September	October	
6. Suir, . . .	Ditto, . . .		Nov.	Dec. Jan.	March	December	Jan. Feb.	June	April	April, May	June	February	April, May	May	June	June, July, Aug.	September	September	November	
7. Blackwater, . . .	Youghal, . . .	1219.2	1st Nov.	Dec. Jan.	March	January	Feb. March	May	March	April	June	February	April, May	May	April	June, July, Aug.	September	September	Oct. Nov.	
8. Lee, { Upper, . . .	{ Cove, . . .	735.4	end Oct.	December	end Jan.	January	Jan. Feb.	April	April	April, May	May	January	Feb. March	May	June	June, July	August	September	Oct. Nov.	January
9. Bandon, . . .	Kinsale, . . .	228.	1st Nov.	Jan. Feb.	12th Mar.	February	March	20th April	end April	May	June	February	March, April	May	May	June, July	August	October	Oct. Nov.	
10. Ilan, . . .	Skibbereen, . . .	112.	end Nov.	Dec. Jan.	February	February	Feb. March	April	April	April, May	May				June	Aug. Sept. Oct.	October	September	Oct. Nov.	December
11. Snaive and Ballylicky, . . .	Castletown, . . .	50.	10th Nov.	Nov. Dec.	end Dec.	January	March, April	May	April	April, May	May				June	July, August	September	September	Oct. Nov.	
12. Blackwater, . . .	Kerry, . . .	40.	November	Nov. Dec.	1st Jan.	1st Feb.	March, April	1st May	17th Mar.	April	May	January	Feb. March	May	June	Aug. Sept.	September	August	Sept. Oct.	November
13. Roughty, . . .	Ditto, . . .	475.	15th Nov.	Nov. Dec.	1st Jan.	1st Feb.	March, April	1st May	17th Mar.	April	May	January	Feb. March	May	June	Aug. Sept.	September	August	Sept. Oct.	November
14. Curraan, . . .	Valentia, . . .	56.	November	Nov. Dec.	1st Jan.	1st Feb.	March, April	1st May	17th Mar.	April	May	January	Feb. March	May	June	Aug. Sept.	September	August	Sept. Oct.	November
15. Ecnagh, . . .	Ditto, . . .	98.5	November	Nov. Dec.	end Dec.	February	March, April	April	end April	April, May	end May	November	Nov. Dec. Jan. Feb.	April	June	July, August	begin. Aug.	October	Oct. Nov.	begin. Nov.
16. Carra, . . .	Ditto, . . .	70.	1st Nov.	Nov. Dec.	begin. Jan.	1st March	March, April	May	end April	April, May	end May	November	Nov. Dec. Jan. Feb.	April	June	July, August	begin. Aug.	October	Oct. Nov.	begin. Nov.
17. Laune, . . .	Ditto, . . .		1st Nov.	Nov. Dec. Jan.	February	January	end March, April	begin. May	March	April, May	May	January	March, April	end May	May	June, July	July	August	Sept. Oct.	January
18. Maine, . . .	Ditto, . . .	510.6				March	March, April	May	April	April, May	begin. June	March			June	July, August	September	end Sept.	Oct. Nov.	
19. Cashen, . . .	Listowel, . . .					February	Feb. March	May	end April	April	May	May			June			1st Oct.		
20. Feal, . . .	Ditto, . . .	446.	1st Nov.	Nov. Dec. Jan.	1st Feb.	February	Feb. March	May		May	end May									
21. Shannon, { Upper, . . .	{ Ditto, & Miltownmalbay, . . .	4,544.1	{ Nov.	Dec. Jan.	end Jan.	February	April, May	May	February	April, May	May									
22. Corrib, or Galway, . . .	Galway, . . .	1,218.7																		
23. Spiddal, . . .	Ditto, . . .	42.																		
24. Costello, . . .	Ditto, . . .	30.	November	December	March	November	March, April	1st June	begin. Mar.	beginning of May	1st June	November	Dec. Jan.	June	June	June, July	August	August	Oct. Nov.	January
25. Ballinahinch, . . .	Clifden, . . .	85.	October	Nov. Dec. Jan.	March	November	March, April	1st June	begin. Mar.	beginning of May	1st June	November	Dec. Jan.	June	June	June, July	August	August	Oct. Nov.	January
26. Renvyle Fishery, . . .	Ditto, . . .	27.																		
27. Delphi, . . .	Ditto, . . .	26.	20th Nov.	December	11th Jan.	April	April and May	June	April	April and May	June	February								
28. Errive, or Ass, . . .	Ditto, . . .	75.5	20th Nov.	1 Dec. to 1 Jan.	12th Feb.	April	April and May	June	April	April and May	June	February								
29. Killieries, . . .	Ditto, . . .																			
30. Belleclare, . . .	Ditto, . . .		20th Nov.	1 Dec. to 1 Jan.	12th Feb.	April	April and May	June	April	April and May	June	February								
31. Newport, . . .	Westport, . . .	60.	end Oct.	15 Nov. to 25 Dec.	12th Feb.	March	April and May	June	March	April and May	June	January								
32. Burrishoole, . . .	Ditto, . . .	53.	1st Nov.	18th November	mid. Dec.	March	April and May	May	March	April and May	June	November								
33. Ballycro, . . .	Belmullet, . . .	54.																		
34. Owenmore, . . .	Ditto, . . .		15th Nov.	25th December	beg. Jan.	February	March and April	May	April	April and May		November	None		May					
35. Munlim, . . .	Ditto, . . .	170.	15th Nov.	25th December	January	February	March, April	May	April	April, May		November	December		July					
36. Glenamoy, . . .	Ditto, . . .	68.	15th Nov.	25th December	February	February	February	May	April	April		None	None							
37. Moy, . . .	Sligo, . . .	804.	November	15th December	1st Feb.	March	end April		March	end April		February								
38. Easky, . . .	Ditto, . . .	51.	November	December	March															
39. Ballysadare, . . .	Ditto, . . .	260.																		
40. Sligo, . . .	Ditto, . . .	150.	December	Dec. Jan.	1st Feb.	end Dec.	April, May	May	March	April	26th May	January	January, February							
41. Drumcliff, . . .	Ditto, . . .	28.																		
42. Bundrowes, . . .	Ditto, . . .	110.	15th Nov.	December	February	15th Dec.	March, April	May	end March	April	May	January								
43. Erne, . . .	Ditto, . . .	407.	20th Nov.	December	12th Jan.	January	Feb. March	April	mid. April	May	June									
44. Inver, . . .	Killibegs, . . .	43.	end Nov.	end December	February				March	April	May									
45. Owentocker, . . .	Ditto, . . .	30.	begin. Nov.	end December	mid. Jan.	end Dec.			April	April, May	May									
46. Owenca, . . .	Dunfanaghy, . . .	42.	begin. Nov.	end December	mid. Jan.	end Dec.			April	April, May	May									
47. Clady, . . .	Ditto, . . .	42.	begin. Nov.	middle Nov.	end Dec.	December		May	May	May, June	May									
48. Laccagh, . . .	Ditto, . . .	56.	end Oct.	end Nov. Dec.	6th Jan.	January	May	May	March	May	May	December	March, April, May	May	May	July	August	1st August	August, Sept.	
49. Rathmelton, . . .	Ditto, . . .	100.	1st Nov.	November	12th Dec.	January	March and April	May	March	April, May	June	November	December, January	May	May	June, July	August	September	October	
50. Foyle, . . .	Carne, . . .	1,260.	begin. Nov.	December	January	February	March and April	May	March	April, May	June	March	March, April	May	May	June, July	August	September	October	
51. Roe, . . .	Ditto, . . .	170.	begin. Dec.	January	February	March	April, May	May	April	May	June		None		May	July, August	August	September	October	
52. Bann, . . .	Ballycastle, . . .	2,413.4	begin. Nov.	25th December	begin. Jan.	January	March and April	May	February	April, May	June	February	March, April	May	May	June, July, Aug.	August	September	October	
53. Bush, . . .	Ditto, . . .	120.	November	Nov. and Dec.	February	February	March and April	end May	March	March, April	May	January	March, April	May	May	June, July	August	September	October	
54. Glyde and Dee, . . .	Dundalk, . . .	280.				November	Nov. to March	April	April	April, May		February			June	July, August	September	September		
55. Fane, . . .		138.				January	April and May	May	April	May, June	August	January								
56. Boyne, . . .		1,053.	September	Oct. and Nov.																

NOTE.—The portions left blank are those in reference to the headings of which no evidence was furnished.

PRESENT PRODUCE.				RIVER.	* When Fisheries heretofore and generally		Close Season asked for.	Close Season by old Laws.	OBSERVATIONS.
Months most productive in quantity of Fish in best condition.	Months most productive in Money value.	Probable present gross produce of Fish in quantity or value, as could be ascertained. <small>[This Column is necessarily very defective, because of the great unwillingness of parties to give returns of produce.]</small>	Proportion of gross produce taken in Fresh Water above Tideway or first Weir.		Commenced.	Ceased.			
May, June, July	Jan. Feb. March	From 5,000 to 7,000 Salmon, of an average weight of 7½ lb., was the produce of 1844; the average price was from 8d. to 1s. per lb.	Scarcely any	1. Liffey, . . .	December .	1st October	20th Aug. to 12th Feb. 1st Aug. to 10th Jan.	1 Oct. to 1 Feb.	The Liffey is fished chiefly by nets: there are eleven seines and a few bag nets used outside the mouth: the fish of this river have been greatly destroyed by chemical and gaseous matter flowing into it. If it were properly protected, passes made over the weirs and natural obstructions, and noxious substances not discharged into the water, the annual produce would, according to the testimony of an experienced witness, be 50,000 Salmon. The gentleman who claims the charter fishery at Island Bridge is desirous of a fishing season commencing and terminating early.
March, April, May July, August May, June, July	March, April, May February, March	About £140 About £2,000 About £17,000 or £18,000	Do. Do. Considerable	2. Owenavarra . 3. Slaney, . . . 4. Barrow, . . .	1st March . Fished through the year Fished through the year	29th Sept. Fished through the year	1st Oct. to 1st April 10 Aug. to 17 Mar. 1 Sept. to 1 Feb. 12 Aug. to 1 Feb. 29 Sept. to 1 March.	12 Aug. to 1 Feb. 1 Nov. to 25 Mar.	There has been no observance of the law in the Slaney. One witness (Hector) states that February is the best month. The gross export from Waterford in 1844 was about 20,852 Salmon, weighing 151,646 lb. This was the produce of the Suir, Nore, and Barrow exclusively. Large quantities of fish were also sold in Waterford and New Ross; and a considerable portion sent to the Dublin market. There are a great number of head weirs on the conjoined Nore and Barrow below New Ross. There is a considerable quantity of fish taken in the snap nets used in the fresh water on the Barrow; and a very great quantity taken by this description of net in the tideways of the three rivers.
April, May May, June, July	March, May February, April, May		Considerable Considerable	5. Nore, . . . 6. Suir, . . .	Fished through the year	Fished through the year	1st Oct. to 1st March 1st Oct. to 1st March, 1st Sept. to 1st Feb.	12 Aug. to 1 Feb. Do.	The average annual produce for the last seven years of the Lismore weir, on the Blackwater, was 27 tons, 3 cwt. 2 qrs. 10 lb. Between this weir and the sea there are eighty pair of cots and thirty-three stake weirs: the most valuable of the latter produce about £150 a year; while some do not yield £30. The Lismore weir is situated above the tideway in the fresh water; the annual average expense of working it is £400. There are great obstructions on the Blackwater, and various modes of destruction are resorted to.
June, July	February, March	From £3,500 to £4,000	About one-half	7. Blackwater, .	Fished through the year	Fished through the year	10th Sept. to 14th Feb. 1st Oct. to 1st March.	10 Sept. to 14 Feb.	The Close Season for the Lee under the old laws was for all except proprietors of fisheries; it was not, however, at all observed. The best month for angling on this river are March, April, and the beginning of May. There is a weir on the Lee, the produce of which is very considerable. There are between sixty and seventy nets used in the tideway.
February, March, June	February, March	About £1,900	About one-third	8. Lee, { Upper, { Lower,	Fished through the year	Fished through the year	20th Oct. to 1st Feb. 1st Oct. to 1st March, 1st Nov. to 1st April.	† Excepted in the 3rd Geo. III.	There has been great destruction of Spent fish on the Bandon river. It is fished with both weirs and nets.
June, July	February, March, April	About £170	Considerable	9. Bandon, . . .	1st March .	1st Nov. .	1st Nov. to 1st April, 20th Oct. to 20th Mar.	1 Nov. to 1 Mar.	The Secretary to the Preservation Society on the Snaive and Ballylickey, originally made an application for a change of Season; but at the termination of the Bantry inquiry, he expressed it as his opinion, that it would be more desirable to make no alteration in the Season at present fixed by the 5th and 6th Victoria, c. 106.
August, September, October July, August	Aug. Sept. Oct. July, August	About £90 . About £180	Very little Very little	10. Ilan, . . . 11. Snaive & Ballylickey,	1st July . Fished through the year	November . Fished through the year	10th Oct. to 17th March 1st Oct. to 1st April	12 Aug. to 1 Feb. Do.	The practice of poisoning has been carried on to a most destructive extent in the Roughty. It is stated to have had its origin in preventions to fishing; and some respectable persons are known to be guilty of it.
August, September June, July July, August (Upper part) Nov. Feb. (Lower) May, June, July May, June, July, August	August, September Jan. Feb. March July, August Nov. Dec. Jan. Feb. May, June, July April .	About £60 About £7,000	Very little All Very little One-half	12. Blackwater, . 13. Roughty, . . . 14. Curraan, . . . 15. Eenagh, . . . 16. Carra, . . . 17. Laune, . . .	June . 1st January 1st July (Up.) 1 Nov. (Lr.) 1 May Fished through the year	29th Sept. 12th August 1st October 1st June 1st Nov. Fished through the year	20th Sept. to 12th Feb. 20 Sept. or 1 Oct. to 12 Feb. 12th Aug. to 1st Jan. 1st June to 1st Nov. 12th Aug. to 1st Jan.	Do. Do. Do. Do. Excepted. Do.	The Curraan. This river is fished exclusively by a weir, which is half way between the sea and the lake from which the river flows. The average yearly produce of the Curraan for the last three years was 3 tons, 12 cwt. 17 lb. of Salmon, and 1 ton, 11 cwt. 1 qr. 20 lb. of Trout. The Carra has been fished all through the year with "pushing nets." There is a weir upon it, which has been always fished in November, December, January, and February. There are six seine fisheries between the weir and the sea, which pay between £150 and £200 a year rent. The Laune. The first application from this river was for a Close Season, commencing the 12th August, and ending the 1st January. This was made by the lower proprietors; but during the inquiry at Killorglin, Nov. 13, 1845, they expressed a willingness that it should extend to the 15th January, while the upper proprietors require that it should continue to the 1st February.
July, August	July, August	About 1,500 Salmon	None None	18. Maine, . . . 19. Cashen, . . .	1st June . 16th June .	29th Sept. Fished through the year	12th Aug. to 1st Jan. 20th Sept. to 1st May	12 Aug. to 1 Feb. Do.	The Maine. There are five weirs on the Maine, for which rent is paid to the amount of 4 cwt. of salt fish and £4 sterling. All these stretch across the channel. There was a stone weir on this river, which was complained of as a great obstruction to navigation, but it was removed in May, 1845.
			All	20. Feal, . . .	May .	1st October	10th Sept. to 1st May	20 Oct. to 1 Feb.	Two rivers, the Feal and Geal, unite together; and from their point of junction to the sea, the single river so formed is called the Cashen. The Feal and Geal are fished exclusively by nets and rods. There is no fishery of any importance above the tideway. The practice of poisoning prevails to a great extent on the Feal.
		About 6,000 Salmon, and 24,000 Peal 4,221 Salmon; 10 tons average yearly produce.	All None Very little	21. Shannon, { Upper, { Lower, 22. Corrib, or Galway,			20th Sept. to 1st March Present Season 1st Sept. to 12th Feb.	12 Aug. to 1 Feb. † Excepted from the sea & the Island of St. Thomas.	There are sixty-one stake weirs on the Clare side of the Shannon and Clonderlaw Bay, and thirty-five on the Limerick or southern shore. The average gross produce of each of these is about £50 worth of fish each year.
June, July	June, July	About 400 Salmon 5,114 Salmon, 34,747 lb.; 14,385 lb. Trout, average yearly produce. About 10 tons annually	All Considerable Small portion	23. Spiddal, . . . 24. Costello, . . . 25. Ballinahinch, . 26. Renvyle Fishery, .	June . end June November .	October August	1st October to 12th Feb. From 20th Sep. or 1st Oct. 1st Aug. to 1st Dec.	12 Aug. to 1 Feb. Do. Do.	There is an impassable barrier on the Spiddal, two miles from the sea; it is fifteen feet in height, and consists of solid rock. There are very fine lakes and breeding places in the upper part of the river: it is fished with rods and nets.
July	July	610 Salmon, 3,847 lb. 606 Trout, 1,417 lb. average yearly produce. 60 Salmon, last year's produce . Between £300 and £400 £18 or £20 a year In 1845 the produce was 8 tons Salmon, and 3 tons Trout.	Small portion Small portion None None Very little	27. Delphi, . . . 28. Errive, or Ass, . 29. Killieries, . . . 30. Belclare, . . . 31. Newport, . . .	16th June . 16th June . Fished through the year		Present Season Present Season 20th August to 1st Jan.	Do. Do. Do. Do. Excepted .	The owner of the Newport fishery was in the habit of setting it formerly, and was then very glad to get £20 or £30 a year for it; but in consequence of an active system of protection lately adopted, £150, over and above all expenses, were cleared last year. The Newport is fished by nets alone, but boxes or cribs are in progress of being put up.
	January	1841, 34 tons, Salmon; 1843, 21 tons; 1844, 24 tons.	Do. Do.	32. Burrishoole, . 33. Ballycrov, . . .	11th Nov. . 12th Aug. .	12th Aug. .	1st August to 1st January 1st Sept. to 12th Feb.	12 Aug. to 1 Feb. Do.	The Ballycrov is fished by nets. One season, some years ago, not a single fish was taken up to the 20th August, and after that there were 1,800 Salmon taken each day for three or four days; this making up in a few days the fishery of the entire year. The cost of protecting this river is £185 annually. There was an obstruction upon it, but it has been removed at the expense of the proprietor.
December	December	About £50 Between 2 and 2½ tons 23 cwt. was last year's produce .	All All	34. Owenmore, . . 35. Munhim, . . . 36. Glenamoy, . . .	May . 1st Nov. . 1st July .	September . 1st May to 1st November 12th Aug. .	28th Sept. to 1st May 1st May to 1st November 20th Sept. to 12th Feb.	Do. Do. Do.	The Close Time has not been at all observed in the Munhim; this river and the Owenmore, for which different seasons are sought, form one river at a considerable distance from the sea. There is a weir on the Munhim and another on the conjoined rivers, in neither of which is there a Queen's share.
		6 tons, 13 cwt. 3 qrs. 20 lb. last year. About 300 Salmon yearly	Very little None	37. Moy, . . . 38. Easky, . . . 39. Ballysadare, . .	1st Feb. . March . 20th Dec. .	August August	Present Season 1st October to 1st July .	Do. Do.	The Moy is fished by weirs and nets; the fishery is decreasing, and this decrease is attributed to the observance of the weekly Close Time, and the increase of poaching.
April, May, June	April, May	7 tons, 7 cwt. 3 qrs. 2 lb. average About £30	Very little None	40. Sligo, . . . 41. Drumcliff, . . . 42. Bundrowes, . .			1st August to 1st January Present Season 20th Aug. to 1st Jan.	Excepted . 12 Aug. to 1 Feb. Excepted .	The Sligo river is fished by weirs and nets; the Close Time has not been observed at one of the two weirs. The Drumcliff. There is great destruction of both Fry and Spents at mill weirs on this river. The Bundrowes has been always well protected; it is fished by a weir and nets, and is claimed as a "several fishery." The Pollen or Fresh Water Herring frequent Lough Melvin, which is at the head of the Bundrowes. Cross line fishing, which is pursued in this lake, is greatly complained of as injurious to the fishery.
May, June, July	May, June, July	1844, 753 lb Salmon, 2,185 Trout; 1845, 1,242 lb. Salmon, 1,106 lb. Trout.	Very little	43. Erne, . . . 44. Inver, . . .	20th March April .	Aug. Sept. 1st October	20th Aug. to 20th March 12th Sept. to 12th Feb.	12 Aug. to 1 May 12 Aug. to 1 Feb.	The Erne. This fishery is held at a yearly rent of £1,200; it is carried on by a weir and nets. The fish of this river deteriorate after 12th Aug. The Inver is also claimed as a "several fishery;" this river formerly yielded £100 a year, but the value of the produce has now dwindled down to between £30 and £40. There are a great many bag nets used outside the Inver, and it is supposed that they take the fish going into the river. There are a great number of bag nets on the coast between Teelin Head, county Donegal, and Mullaghmore, county Sligo; the annual average produce of which is from eighty to 100 tons of Salmon.
July June, July December, January, June, July	July June, July December, Jan. Feb.	1,116 Salmon, 7,712 lb. average Average, 9,625 lb. Salmon		45. Owentocker, . 46. Owenea, . . . 47. Clady, . . . 48. Lough, . . . 49. Rathmelton, .	1st March . 1st March . May . 1st January end October	12th Sept. . 12th Sept. . 12th Aug. . end August 1st August	1st Sept. to 1st March . 1st Sept. to 1st March Present Season 20th August to 1st Jan.	Do. Do. Do. Excepted Excepted .	The Rathmelton. An application was made for a change of season on this river, but during the inquiry at Londonderry, the 16th January, 1845, the proprietor of the fishery expressed himself willing to try the effect of observing for three years the Close Season fixed by 5 & 6 Victoria.
July June, July, August	June, July June, July, August	About 82,000 Salmon	Very little	50. Foyle, . . . 51. Roe, . . .	March . June .	beg. Sept. end Sept. .	1st Sept. to 1st March end Sept. to 12th Feb.	1 Sept. to 1 Feb. 12 Aug. to 1 Feb.	The upper part of the Foyle is fished by draught nets, which, when in full operation, give employment to 100 persons. There are about forty stake and several bag nets in the Lough. The expenses of the draught and stake net fishery of the Irish Society alone were, in 1844, £2,164 4s. 2d. Thirty-three of the stake nets are held by the tenants of Lord Donegal.
June, July, August April, June, July	June, July, August February, March, April	51 ton, 1 cwt. 17 lb. average of six years 10 tons, 6 cwt. 1 qr. 10 lb. average of four years.		52. Bann, . . . 53. Bush, . . .	beg. Feb. 1st January	12th Aug. 12th Aug. .	1st Sept. to 1st March 12th Aug. to 1st Jan.	Do. Excepted .	The Bann is fished by a weir, one bag, and four draught nets. The Bush is fished by a weir and four draught nets. There are thirty-four bag nets between Magilligan, county Londonderry, and Ballycastle, county Antrim, which produce annually forty-five tons of Salmon, together with about £900.
August, September August	August, September August	About £500 Between £20 and £30	Almost all All	54. Glyde and Dee, . 55. Erne, . . . 56. Boyne, . . .	February . March . Fished through the year		Present Season 20th Sept. to 20th March 1st Sept. to 1st Jan.	12 Aug. to 1 Feb. Do Excepted .	There are seven bag nets at Glenarm, Cushendal, and Red Bay, the annual average produce of which is about 1,500 Salmon, 10,500 lbs. weight. The Open Season sought for these fisheries is from the 12th Feb. to Sept.; the former general fishing time was from the 1st Jan. to Sept. The Glyde and Dee are fished by seven seines. The Erne is fished by a sort of trap and a stake weir. The Boyne is fished by weirs and nets. There is £150 a year paid for the weir at Old Bridge; the average yearly produce of the Rossmore weir is about £200 worth of Salmon. Nine boats fish in the tideway, and each boat takes from £15 to £30 worth of fish in the season. The Evidence in respect to the period of Spawning in the Boyne is particularly defective. One witness only (Mr. Walter Johnson) stated that October and November are the Spawning months.

* The observance of any Close Time was very rare and there was scarcely any protection. † Excepted rivers were only for proprietors and farmers, the public in general were restrained from fishing from 12 August to 1 February,—3 Geo. III. c. 85.

SALMON FISHERIES, CLOSE SEASON.—Abstract of Information obtained in reference to the EARLY RIVERS, during the Fishery Inquiry, 1844, 1845.

River.	County in which situated.	Produce in the Month of January.	No. of Persons who took fish in Jan. before late Act.	Mode of Fishing employed.	Spawning.		Descent of Spent Fish after Spawning.		Close Season by Old Laws.
					Begins.	In greatest quantity.	Ends.	In greatest quantity.	
Ballinalinch.	Galway.	1843—71 Salmon = 605 lbs.	One.	Weirs, nets, & rods.	October.	Nov. Dec. Jan.	Feb. or Mar.	Mar. April.	12th Aug. to 1st Feb.
Burrishoole.	Mayo.	. . . . .	One.	Nets.	1st Nov.	Middle of Nov.	Mid. of Dec.	April, May.	12th Aug. to 1st Feb.
Bush.	Antrim.	{ 1843—15 Salmon = 134 lbs. 1844—27 Salmon = 241 lbs.	{ One.	Weir and nets.	November.	Nov. Dec.	February.	Mar. April.	Excepted.
Boyne.	Meath & Louth.	. . . . .	Two.	Weirs and nets.	September.	Oct. Nov. Dec.	January.	April, May.	Excepted.
Bundrowes.	Donegal.	About 1½ cwt.	One.	Weir.	15th Nov.	December.	February.	Mar. April.	Excepted.
Carra.	Kerry.	{ 63 Salmon = 612 lbs.; aver- age of three years.	{ One.	Weir.	1st Nov.	Nov. Dec.	January.	Mar. April.	Excepted.
Curraan.	Kerry.	{ 60 Salmon = 555 lbs.; aver- age of four last years.	{ One.	Weir.	November.	Nov. Dec.	January.	April.	12th Aug. to 1st Feb.
Lacagh.	Donegal.	{ 21 Salmon = 97 lbs.; aver- age of six years.	{ One.	Weir and nets.	End of Oct.	End of Nov. Dec.	6th Jan.	May.	Excepted.
Laune.	Kerry.	. . . . .	Many.	Nets and rods.	1st Nov.	Nov. Dec. Jan.	February.	Mar. April.	Excepted.
Lee.	Cork.	. . . . .	Many.	Weir and nets.	End of Oct.	December.	End of Jan.	Feb. Mar.	Excepted.
Liffey.	Dublin.	. . . . .	. . . . .	Nets.	End of Oct.	November.	January.	Jan. Feb.	1st Oct. to 1st Feb.
Maine.	Kerry.	. . . . .	. . . . .	Weirs and nets.	. . . . .	. . . . .	. . . . .	Mar. April.	12th Aug. to 1st Feb.
Munhim.	Mayo.	. . . . .	One.	Weir and nets.	15th Nov.	25th December.	Beg. of Jan.	Mar. April.	12th Aug. to 1st Feb.
Newport.	Mayo.	. . . . .	One.	Nets.	End of Oct.	15 Nov. to 25 Dec.	. . . . .	April, May.	Excepted.
Rathmelton.	Donegal.	96 Salmon; av. of three years.	One.	Weir.	1st Nov.	November.	12th Dec.	Mar. April.	Excepted.
Sligo.	Sligo.	. . . . .	One.	Weirs and nets.	Mid. of Dec.	Dec. Jan.	1st Feb.	April, May.	Excepted.

REMARKS.—The Lessee of the Ballinalinch Fishery seeks for a Close Season, beginning the 1st of August, and ending the 1st of December; but he would not allow fishing in the upper part of the river before the 1st of June. The Lessee of the principal Weir on the Boyne, at Old Bridge, could give no account of the produce: £150 per annum is paid for this Weir. The Lessee of the Munhim had no accurate account of the quantity of fish taken. The produce of the Sligo Fishery, between the 1st of January and the 12th of February, was, in 1843, 201 Salmon = 20 cwt. 23 lbs.—1844, 138 Salmon = 12 cwt. 2 qrs. 7 lbs.—1845, between 1st Jan. and 1st March, 106 Salmon = 8 cwt. 2 qrs. There was no Salmon taken in August during these years.

MINUTES OF EVIDENCE.

SALMON FISHERIES—CLOSE SEASON.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at KILLORGLIN, Co. KERRY, WEDNESDAY, NOVEMBER 13, 1845.

APPENDIX, No. II.

SUBJECT OF INQUIRY.—THE RIVERS LAUNE, CARRA, MAINE, AND THEIR SEVERAL TRIBUTARIES, AND ALL OTHER SALMON RIVERS TERMINATING IN CASTLEMAINE OR DINGLE BAY, TOGETHER WITH THE FISHERIES OF THE ADJACENT COAST, INCLUDING VALENTIA HARBOUR.

THE *Rev. Wm. De Moleyns* who applied to the Board for an alteration of the Close Season, at present fixed by law, for the Rivers Laune and Maine, to a period commencing on the 12th August and ending on the 1st January, produced and examined the first witness, Robert Tangney. Season desired.

THE LAUNE.

Robert Tangney, sworn.—Lives at Gerrameen, near Killorglin; is engaged in watching the Rivers Gerrameen, Oureagh, Flesk, Finnaow, Aughariff, and Six-mile-water; and has been so employed for the last fifteen years, off and on. The breeding fish first run up in October, in the Keenaduff; they commence breeding there the 1st November, and cease the 1st December; they then fall back into the Flesk. The first Salmon that run up begin to spawn in the higher parts. Killed black Salmon in the Flesk on the 11th February. The time at which the breeding fish cease going up depends upon the season; if it be dry or frosty, they will go up till the latter end of February. There is no other than rod-fishing in these rivers; they are mere spawning rivers. Of the Salmon which pass up to the lake in November, December, and January, some have large peas and milts; some are brown and some white. A fisherman fishing in the lake between 1st January and 11th February would catch black Salmon which had not bred; they very often let out fifteen or twenty of them; but they would also catch some good in that time, as they are then mixed. Persons fishing after the 1st January would catch a great deal of black Salmon; and it would be injurious to the fishery if they killed all they caught; but it would not be injurious if the proprietors could depend upon the fishermen. Out of twenty taken after the 1st January there would be eight bad, spawned and unspawned.

The Laune.
Tributaries of the
Laune.
Spawning.

Mode of fishing.

January fish.

Proportion of good
and bad fish in
January.

MR. MULVANY.—Would not the fish which got up from November to January be caught above, if all were permitted to fish in the latter month?

WITNESS.—They may or may not; of course, they have been caught. The people above would find it their interest to prevent those below from fishing during November, December, and January. It would be the interest of those below to allow the fish to go up early as they would have the return coming down; and, as far as money goes, the people above have the same interest in an early fishery. The fish going up in December, when they remain in the lake, are generally sold for a less price. Last January had only the name of being preserved as part of the Close Season in these rivers; draft nets were hauled all through January and December, and up to 12th February; in fact, all through the year. Is acquainted with the fisheries both above and below as a water-bailiff. The fish are in the fattest condition in April; in the upper part they show roe and milt in May. They never cease running through the year; but there is a check in September. There is a late spawn and an early spawn; those which run up early spawn first, and those which go up late, spawn late. Fish spawn between Killorglin and the lake; he has seen scours at the Bridge of Killorglin. The Salmon begin to work at the scours in the upper lakes, and River Gerrameen, the 1st November, and continue to the latter end of December. In frosty and dry years they stop working on the scours on or about the 1st January. In the lower lake rivers the spawning commences earlier; the fish scour there from November till Christmas, and they then fall back into the Flesk. The weight of the fish scour from December till the end of January, and all have finished 11th February. Fish taken after the 12th August in the lake are full of pea; and they are therefore breeding fish. Spents are found in the lake in March and April; they are caught by rods and nets coming down into the sea. There is no mill-weir or other impediment between Killorglin and the lake; but there are mill-weirs on the spawning rivers. The greatest number of spents come down in February, March, and April, and many of them are caught then; the time of their descent depends on the water. Some Fry come down in March, and the great bulk in April and May. There are four fisheries on the lake; they belong to Mr. Herbert of Muckross, Lord Kenmare, Mr. Shine Lawlor, and Mr. Herbert of Cahirane. The lake is hauled from the shore in particular spots. Before the

Observance of
Close Season.

April fish.

Spawning.

August fish.

Spents.

Obstacles.

Fry.

Lake fisheries.

Comparative supply.

APPENDIX, No. II.	fishing was pursued so actively they used to take eighty or a hundred Salmon in a haul; but now there is no haul in which forty are caught. The fishery is not worse since the late Act passed; and since the stake nets were removed, the fishery in the lake is rather better; but it would be much more so if the weekly Close Time was observed more strictly. The only modes of fishing adopted above are with cross-line, rods, and hauling.
<i>The Laune.</i>	
Modes of fishing.	The best time for beginning to fish, in the upper part, would be the 1st January, in a money point of view; but that would not be the best for the public. The length of the draught nets is thirty yards; they are longer than the breadth of the river at low water; and it would do a great injury to the fishery to shorten them. They never could fish at high water if any thing was taken off the nets. There are at present no water-bailiffs on the upper parts. Peal begin to run up about the 20th May; they are from two to three pounds weight. Peal and Salmon go up together, and are killed together. If there were one season for the Laune, and another for the Carra, the people of one river would certainly kill the fish of the other in the Close Time. The Flesk is the best spawning river till the latter end of the season, and then the Laune and Geestha are the best; persons fishing in the Laune often fish from bank to bank, and fix their nets in that position. The fish begin to lose their curd as soon as they go up to the fresh water. The fishery is of less value now than fifteen years ago. More black Salmon would be killed in the lake in January than in February or March. Would rather have one Salmon in January than three in May; he has known sixteen or eighteen black Salmon to be killed in January.
Fishing time.	
Draught nets.	
Protection.	
Peal.	
Decrease.	
Spawning.	<i>James Ferris</i> , sworn.—Lives at Kilbonane, and is a cot-fisherman on the Laune these twenty-six years. One of the best reaches of the river for cot-fishing is where he lives, about four miles above Killorglin, near Beauford Bridge. Spawning commences the 1st November, and continues to about the 1st January; sometimes saw an odd fish after the 1st January that had not spawned. Saw the fish scouring in pairs in the fords; the great bulk of them have spawned in January. Fishes with a net and pair of cots; the net is from seventy to seventy-two meshes deep; when fishing they run the two boats together, and haul up the fish when it strikes the net.
The Gheestha.	<i>John Sugrue</i> , sworn.—Has been a water-bailiff these four years on the Gheestha, which river flows into the Laune, about three miles from Killorglin. The great body of the fish cease to scour in that river on the 16th January. There is no fishery in the Gheestha. Saw fish spawning there after the 8th February, but it was only an odd one. Persons angle in this river. Never saw white Salmon there before the 1st August. The spents come down from this river to the Laune in January, and on till March.
Spawning.	
The Spents.	
The Laune and Carra.	<i>Christopher J. Keays, esq.</i> , sworn.—Is twenty-two years connected with the fishery trade of Killorglin, and has bought fish at all seasons. Fish caught from the 1st to 20th August, is merchantable. There is scarcely any difference between the fish taken then and that caught in May and June. The spring fish is the best; that taken from January to April is in fine condition. Saw as good fish taken in November and December as in any month in the year. Saw a greater quantity of good fish taken in Ronayne's weir, in November, than in January; but he speaks of one particular year. There were bad also taken with the good in November. The one-third is bad in the beginning of that month. The milt and pea are scarcely developed in November. Commences to manufacture the fish in June, when the Peal come in. Between £5,000 and £6,000 are paid for fish at Killorglin; this includes what is paid for the Waterville fish. The prices are, for Spring fish, 1s. per pound; for Summer fish, 3½d.; and for May fish, 6d. They have five or six ice-houses, and sufficient ice for the trade, so that they do not find it necessary to import any. They send the fish to England packed in ice, and sometimes pickled; the supply of ice fails occasionally. Buys the greatest number of good Spring fish in April, and the greatest quantity of Peal in June. In case of contract there is more money paid in April, than in any other month. Gets only a small quantity from the Laune in March. Knows and buys the Carra fish. The greatest quantity of fish he got from the Carra in 1834, was in December, and it was of the finest quality. There is a great difference in quality between the fish taken in the lake, and that taken in the river and tideway; one-twentieth of the money paid for fish was for lake fish; but this relates to a more remote period. The nearer the fish is to the sea the better it is. Does not purchase unmerchantable fish; and often objects to the lake fish owing to its discolouration; has used it for pickling, but does not mix it with other fish in boiling; obtains oil from the manufactured fish. The brown fish is not so marketable as the white, but still it is good to eat; this all depends upon taste. Heard that very few bad fish were taken in Ronayne's weir. Their trade with London commenced in 1824; and he has sent so many as 200 boxes of Salmon to London in a month. Has known fish to be sent to Bristol; and having been opened there, was repacked and sent to London—hence, the returns furnished to the House of Lords of the quantity of fish sent from Ireland to the London market, must be necessarily very inaccurate and defective.
August fish.	
November fish.	
Value of the fisheries.	
Prices.	
Peal and Spring fish.	
The Carra.	
December fish.	
Difference between the river and tideway fish.	
Exports.	
Decrease.	<i>To Mr. Herbert.</i> —The lake fishery has decreased in late years; it was at one time worth while to look after the Killarney fish, but now this is not the case. Attributes the falling off to improved modes of fishing in the estuary, and also to the bank fishing. By the "improved modes," he means the stake-nets. Looking upon this district and all the improved modes of fishing, is of opinion that the fishery has actually diminished.
	<i>Thomas Power</i> , sworn.—Is manager for the Messrs. Keays and Ronayne; and has a return of the quantity of fish purchased by them in Killorglin each year, for the last four years. The following statement of the number and weight of the Salmon bought at their establishment is correct; it contains the gross amount purchased.

APPENDIX, No. II.
The Lanne and Carra.

1841.			1842.		
Months.	No. of Fish.	Weight.	Months.	No. of Fish.	Weight.
November, (1840)	345	3,719 lbs.	November, (1841)	234	2,412 lbs.
December, "	418	4,233 "	December, "	460	4,522 "
January, (1841)	676	6,454 "	January, (1842)	449	4,120 "
February, "	494	4,584 "	February, "	519	4,531 "
March, "	679	6,355 "	March, "	271	2,420 "
April, "	847	8,772 "	April, "	409	3,787 "
May, "	1,329	12,310 "	May, "	1,604	13,972 "
June, "	—	33,317 "	June, "	5,000	28,615 "
July, "	—	47,946 "	July, "	—	55,188 "
August, "	—	16,882 "	August, "	—	17,766 "
September, "	—	2,404 "	September, "	—	—
Total,		146,976 lbs.	Total		137,333 lbs.
1843.			1844.		
Months.	No. of Fish.	Weight.	Months.	No. of Fish.	Weight.
November, (1842)	400	3,789 lbs.	November, (1843)	—	—
December, "	397	3,719 "	December, (13th)	301	2,774 lbs.
January, (1843)	561	5,318 "	January, (1844)	513	4,444 "
February, "	815	7,129 "	February, "	1,135	10,052 "
March, "	644	5,652 "	March, "	608	5,330 "
April, "	464	4,461 "	April, "	—	9,320 "
May, "	1,294	11,398 "	May, "	—	19,162 "
June, "	—	49,171 "	June, "	—	39,536 "
July, "	—	61,409 "	July, "	—	46,477 "
August, "	—	14,273 "	August, "	—	8,168 "
Total,		166,319 lbs.	Total		145,263 lbs.

The fish which they get in December and January have very small milt and pea, and are about equal male and female; the milt is then about the size of a woollen thread, and the roe about the size of the barrel of a pea. Paid £3,000 last season, and £4,000 the season before for fish in Killorglin; and there are two other houses, besides theirs, purchasing in the town. The fish show symptoms of an increase of pea and milt about the 20th July; at the end of July it is farther advanced, and it goes on increasing in August. Thinks that the fish taken in September, October, and November, are those that have spawned; those caught at that time average about ten pounds weight; and are not Peal or Grilse. The Peal begin to run late in May; one-sixth of the fish taken in June is Salmon, as distinguished from Peal—the other five-sixths are Peal. Paid in November and December, for the last three years, 6d. per pound; January, 8d.; February, 1s.; March, (last year higher than usual,) 1s. 4d.; April, 9d.; May, 6d.; June, 4d. and 3½d.; July, 3½d. and 3d.; August, 3½d. and 3d. (bought some in that month for 2d. last year); paid less in November and December last year than in January, because they were in doubt about the Act, and did not buy so extensively. Before the late Act used to pay from 1s. to 1s. 3d. per pound, from November till March.

To Mr. De Moleyns.—The January cost as much as the February fish. Thinks that poaching would be given up if permission were given to fish from the 1st of January; and that it would not be so hard to put down improper fishing, if the fish were not purchased from those who took it in the annual Close Time: but considers it would be almost impossible to put down poaching entirely, the people are so poor. Has a contract with Mr. Foley for the fish of the Carra. Paid him 15d. from November to May; 8d. in May; and 4d. after, until the late Act, when Mr. Roynane did not consider it fair to buy it. The following return of the gross amount of fish received from the Carra fishery is correct:—

1841.					
Months.	No. of Fish.	Gross weight.	Net weight.	Price per lb.	Amount.
November, (1840)	82	855½ lbs.	809¾ lbs.	s. d.	£ s. d.
December, (1840)	26	287½	272	1 3	50 12 2½
January, (1841)	75	747	707	1 3	44 3 9
February, "	59	555	525	1 3	32 16 3
March, "	47	464	439	1 3	27 8 9
April, "	12	121	114½	1 3	7 3 1½
May, "	47	389½	368½	0 8	12 5 8
June, "	62	335	317	0 4	5 5 8
Total,	410	3,754½	3,552¾		196 15 4¾

APPENDIX, No. II.
The Laune and Carra.

1842.					
Months.	No. of Fish.	Gross Weight.	Net Weight.	Price per Pound.	Amount.
				s. d.	£ s. d.
Nov. 1841,	52	550 lbs.	520½ lbs.	1 3	32 10 7½
Dec. "	69	678	642	1 3	40 2 6
January, 1842,	89	857	810¾	1 3	50 13 5¼
February, "	65	603	571	1 3	35 13 9
March, "	32	302½	286½	1 3	17 17 9¾
April, "	7	61½	58½	1 3	3 12 9¾
May, "	31	188½	178½	0 8	5 19 0
Total,	345	3,240½	3,067½		186 9 11¼
1843.					
Months.	No. of Fish.	Gross Weight.	Net Weight.	Price per Pound.	Amount.
				s. d.	£ s. d.
Nov. 1842,	63	570½ lbs.	540 lbs.	1 3	33 15 0
Dec. 1842,	43	397½	375	—	23 8 9
January, 1843,	26	231	217	—	13 11 3
February, "	173	1,629½	1,541	—	96 6 3
March, "	52	448	424	—	26 10 0
April, "	39	356	336½	—	21 0 7½
Total,	396	3,632½	3,433½		214 11 10½

Is of opinion that fishing in November, December, and part of January, would injure the fishery.

Season. *Mr. De Moleyns* said, that he would be satisfied to have the Open Season commence on the 15th January; he had been of opinion that the fishing season should begin on the 1st of that month; but, from what he had heard, he was now disposed to think the 15th a better time.

Spawning. *Denis Murphy*, sworn.—Lives at Lehard, a place that bounds the River Laune; is a fisherman, and fishes with two cots and a net between them. Has been fishing eight or ten years, and has charge of part of the Laune as a water-bailiff. The body of the fish are on the scours from the 15th December to 15th January and after; only a few spawn in February. Has seen fish in pea in March. There is no weir on the Laune, from the bridge up. The spawning fish come down out of the scours in March, April, and May. Uses nets with stones attached to them; hauls these nets over the scours in January and February, and the stones disturb the gravel.

Best months. *James Dogherty*, sworn.—Lives at Killarney, and has been a fisherman all his life. Lived on the Island of Innisfallen for twenty years, and gets his living by attending on gentlemen fishing. The best fishing months are March, April, and May. The Peal run in June, and the spents come down in March: he fishes earlier than March. Has frequently observed the fish on the scours in the Flesk, Deena, and all the rivers about the lakes; the great spawning time in these rivers is November and December; and he has seen fish on the spawning beds in February. The fish fall off from the beds immediately after spawning; they return to the deep water when they come off the spawning ground, and go down to the sea in the latter end of March, April, and May. The Fry come down in March, April, and May. The Peal spawn with the Salmon on the scours. There was three times the quantity of fish in the lake last year that there was before, owing to the preservation of the river. Thirty years ago he used to kill twenty or thirty Salmon a day with his rod; but now he might be out for a week and would not kill three. Earns a livelihood by attending on gentlemen angling; and three or four others get their bread in the same manner on the lakes. If another month or two were added to the Open Time, ten gentlemen would come to fish for the one that comes now, and the whole neighbourhood would be consequently much benefited. It would, therefore, be an advantage to extend the Open Season. The September fish have a pretty good sizeable roe in them; those fish spawn earliest which go up first.

Fry.
Increase arising from protection.
Extension of the season.

THE CARRA RIVER.

Mr. Murphy stated that he appeared on the part of *Mr. Foley*, who was the owner of a weir on the Carra; he had property only on one side of the river, and held under a lease of the 13th February, 1798, granted by the O'Donohoe. The weir is put in as an appurtenance to the land, but the latter is of no value. He would produce evidence to show that the Close Season, for this river, should commence on the 1st June, and end 1st November; if the present Close Time was allowed to continue, the weir, as a property, would be totally destroyed.

The Carra.
Season.

John Coffey, sworn and examined by Mr. Murphy.—Is a fisherman; knows the River Carra since he was born, and he is now sixty years of age. The fish spawn there from the 20th November until after Christmas. Knows the rivers in Glencarr, entering the lake; the fish there are done spawning at Christmas; never saw the signs of spawning after the 6th January; and the fish would not remain so long only for the dryness of the season. Knows the Cluen Lake; water flows from that into the Carra; and the spawning time is the same in each. Does not know when the spent fish go down. Has not seen black Salmon in February; but has killed as much as twenty of them before Christmas.

Spawning.

Thomas Jones, sworn and examined on the part of Mr. Foley.—Lives at Cahiracrutchra, in the barony of Dingle, and is seventy years old; lived between the two Carras, "Carrabeg" and "Carramore," till he was between forty and fifty years of age. Used to begin fishing for the Spring fish in the beginning of March. Fish spawn in the river from 6th November until about Christmas; and in a few days after Christmas, they never looked after the brown fish. Saw them on the scours about Christmas; saw them rooting up the gravel often before, but never after, that time. Is not in the habit of going to the weir, and cannot, therefore, speak of it. Saw the Fry in the month of April.

Spawning.

Timothy Lyan, sworn.—Is a fisherman, and knows the weir and fishery of Carra these forty years; the weir was up forty years ago. Used to commence fishing it on the 29th September and cease on the 1st June, because Mr. Foley used to open the weir then to let the breeding fish up. Since Foley got the weir, he fished it from November to May; that was the chief season.

Time of fishing.

To Mr. Mulvany.—They continued fishing also till the 1st June. Saw the fish taken in November, December, and January; it was all white fish, at least such as he saw. He was a fisherman on the river, but not on the weir; and there were many days on which he did not see the weir at all. Saw fish frequently in it, but never saw a black one; the weir was not in his charge. The heavy fish begin to run up about the 1st August, and continue to run till the 1st November. Fish can pass the weir when there is a heavy flood to carry them over it; and there is no impediment to their coming down, for there is a passage for them. Cannot tell the size of it; but it is such as any Salmon can pass through. There is a small quantity of water there on the driest day; the gratings are not now in the weir. He heard that it was kept open on Sundays during the fishing season; and more fish went up this year in consequence of this. There was fishing in the lake this year in February and March. Fish spawn from November to Christmas, between the weir and the lake; is not aware that they spawn between the weir and the sea, but they may. Imagines that the fish which go up from November to Christmas do not spawn till that time twelve months. Has fished below the weir between November and January, and caught black fish then; some would have spawned and others not. Out of 200 white, there would not be more than one black taken then; and he never caught a black unspawned fish after January. He did not see the fishery every day, and speaks only of what he saw. The spents run down to the sea from the 1st March to May.

Breeding fish.

Observance of weekly Close Time.

Spawning.

Spents.

James Foley, sworn.—Fishes the Carra weir, and has been so employed for fourteen or fifteen years. Commences to take fish about the 25th October, and continues to the 1st June. Seldom caught black unspawned fish in November, December, and January; and never caught more than four or five in any of these months; caught but a very odd one with pea from Christmas out. The spents can come down any day in the year, unless in a dry Summer, when there is very little water in the hutches. The water in Summer is not two feet high at the weir; in June and July last year the hutches were dry, and there would be no fish to be caught at the weir if May, June, and July were dry. There have been but three or four years out of fourteen in which the fish had not water to go up. Fish in pea go up from the 20th August to the 20th November; the run of Spring fish commences in November; the spents come down from March to May, and there are not many black fish in the pool after December. The hutches were opened this year on Sundays, and the fish went up then. Never saw any nets used above. Before the new Act the value of the fish caught in the weir and pools averaged £200 per annum; now it does not amount to half that sum.

Fishing time.

Spents.

Breeding fish.

Migration.

Observance of Close Time.

Value of fishery.

Henry William Dodd, sworn.—Purchased the proceeds of the weir and fishery of Carra last year; has an account of the amount of fish he received and the sum paid from 6th February to 6th May; there is an additional account since of about £10; the following is correct:—

Produce.

1844.				Brought forward,			
Feb. 6,	By 5 Salmon, net 44½ lbs.	1s. 3d.	£2 4 6	Feb. 18,	By 1 Salmon, net 8½ lbs.	1s. 1d.	£0 9 2
7,	3 " "	26½, 1s. ½d.	1 7 7	1 (damaged)	9, 5d.	0 3 9	
9,	3 " "	26½, 1s. ½d.	1 9 9	19,	1 " "	8½, 1s.	0 8 6
10,	5 " "	42½, 1s. 2d.	2 9 7	21,	3 " "	28½, 1s.	1 8 6
12,	2 " "	16½, 1s. 2d.	0 19 3	22,	3 " "	27½, 1s.	1 7 6
13,	2 " "	15, 1s. 1d.	0 16 3	24,	9 " "	79½, 1s.	3 19 6
14,	33 " "	314, 1s. 1d.	17 0 2	25,	2 " "	20, 1s.	1 0 0
15,	4 " "	34, 1s. 1d.	1 16 10	1 (damaged)	8½, 5d.	0 3 6	
16,	4 " "	33, 1s. 1d.	1 15 9	26,	3 " "	26, 9d.	0 19 6
17,	2 " "	16, 1s. 1d.	0 17 4	27,	5 " "	46½, 9d.	1 14 10
	1 (damaged) 6, 4d.	0 2 0		28,	2 " "	16, 1s.	0 16 0
Carry forward,				Carry forward,			
£30 19 0				£43 9 9			

APPENDIX, No. II.

The Carra.

		Brought forward,	£43	9	9
March 1,	By 2 salmon, net 23 lbs. 1s.	1	3	0	
2,	1 " " 10½ 1s.	1	10	6	
8,	1 " " 7½ 1s.	0	7	6	
12,	5 " " 52, 1s.	2	12	0	
Omitted.					
Feb. 26,	1 (damaged) 10½ 5d.	0	4	4	
March 13,	2 " " 15, 1s.	0	15	0	
17,	1 " " 11½ 1s.	0	11	6	
19,	2 " " 14½ 1s.	0	14	6	
20,	2 " " 21, 1s.	1	1	0	
22,	14 " " 125, 1s.	6	5	0	
23,	2 " " 25½ 1s.	1	5	6	
26,	1 " " 9, 1s.	0	9	0	
27,	2 " " 9, 1s.	0	9	0	
28,	2 " " 12½ 1s.	0	12	6	
29,	2 " " 16½ 1s.	0	16	6	
30,	3 " " 25½ 1s.	1	5	6	
31,	2 " " 16, 1s.	0	16	0	
		Carry forward,	£64	8	1

		Brought forward,	£64	8	1
April 2,	By 2 salmon, nett 15 lbs. 1s.	0	15	0	
3,	2 " " 18, 1s.	0	18	0	
	2½ damaged fish,	0	2	4	
4,	11 lb. of fish, 1s.	0	11	0	
5,	15 " 1s.	0	15	0	
	10 " 1s.	0	10	0	
6,	14 " 1s.	0	14	0	
9,	19 " 1s.	0	19	0	
10,	20 " 1s.	1	0	0	
12,	3 salmon, 26 lb.	1	6	0	
	3 damaged,	0	2	10	
13,	2 " 20½ 1s.	1	0	6	
16,	14 lb. of fish,	1s.	0	14	0
17,	10½ lb.	1s.	0	10	4
19,	8 " 1s.	0	8	0	
	5 " 1s.	0	5	0	
May 6,	10½,	6d.	0	5	3
			£75	4	4

Extent of purchases. Purchases about £2,000 worth of fish in the year at Killorglin; some is the fish of the Laune, and some is brought from Kenmare. Gets the greatest quantity of fish from the 15th June to the 15th July; there has been a great deal of fishing this year in the lake above the weir.

Spawning. *Denis Murphy*, sworn and examined on the part of the Rev. Mr. Mahony, one of the lower proprietors.—Knows the Carra since he was able to walk the ground. Saw fish making scours in November and December, some above and some below the weir. Saw black fish taken from the weir to the lake; but never, except a stray one, taken below. Breeding fish. Saw fish above the weir with roe and milt in January; there were spawned and unspawned there at that time. Spent fish go down to the sea before Patrick's day if there be floods. Is only an angler; did not fish the lake this year, but there was good fishing there, for his neighbours killed some very good fish. Most fish is caught in July at the mouth of the river.

Best months. *Patrick Connor*, sworn.—Knows the Carra, and the best months in the lower part of it are June and July. Fish spawn in November and December between the bridge and the weir; saw one on the scours last Sunday about twelve yards above the bridge and below the weir. Is twenty years a fisherman. No tide goes above the bridge except a high spring tide. The scours are made from the 1st of November to the 1st of January; saw the scours there filled up after the 1st of January. There were a few Salmon taken in the lake in March, and they were a little black.

Carra lake fishing. *Cross-examined by Mr. Murphy*.—The water is not salt above the bridge. Fishing fairly in the Summer season would be better than in the Spring at the mouth of the river. The Foleys have taken fish in November, December, and January, and they were good fish; some of them were a little black in the month of March.

Spawning. *Cornelius Clifford*, sworn.—Believes himself to be one of the best anglers on the lake or river; angled on the lake this year, and the fishing was very good. All the poor fishermen had good fishing this year, and there never was any fishing there before. This is the first year that nets were hauled in the lake. The Salmon scour in November, December, and January, between the bridge and the weir, and above the weir; took a black fish above the weir on one occasion, and was put in confinement for it. Is acquainted with the lower part of the river, and the best fishing months there, are May, June, and July; if they had water at the weir there would not be bad fishing there at that time. Earned £10 or £11 by his rod last year. His father pays only 40s. a-year for his holding. Used to kill black fish; but now, since he knows the difference, would sooner burn his hand off than kill one. Saw the scours in January; and caught a black Salmon the week after Christmas, full of pea. Two or three nets were hauled on the lake last year. Killed a good deal of fish in March and April on the lake; some were white and some turned.

Best months. *Daniel O'Sullivan*, sworn.—Fished the lake this year for the first time with any success, and caught so much as ten Salmon in a haul; some were white and some brown. Got good fish in March; the best months for fishing in the lower part of the river are June, July, and August. Pays £29 a-year for the royalty of one boat and a hauling place. The fish caught above are of an inferior description to those taken below. Between Mr. Foley's pools and the sea there are six fisheries; which pay in rent about £162 per annum. Fishing commences in the lower part 1st May, and continues to 1st November; and the people there are anxious for a Summer fishery. The pool men would rather have a Spring fishery in consequence of the price of fish, and would prefer the same Close Season for the upper and lower part, from November, or at all events, from December. There is no run of fish till June, and unless June and July be wet, much fish cannot go up to the weir. They used to fish all the year round with pushing nets; these are about twelve fathoms long, and three deep; they are placed on the strand and rise with the tide; and the mesh is three inches from knot to knot.

Number of fisheries. *Mr. Keays* stated that he saw a great quantity of excellent fish taken in Mr. Foley's weir, in November and December; and felt convinced that the continuation of the present Close Season would destroy the weir as a property.

Fishing time. The evidence in reference to the Laune and Carra closed here.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at CASTLEMAINE, COUNTY KERRY, on THURSDAY, NOVEMBER 14, 1844.

The Maine.

THE MAINE.

John Moriarty, sworn.—Is tenant of the head weir below the bridge. There are two weirs below the bridge; one is near the bridge, and the other, which is the lowest, is above Milltown-quay. The abbey weir, which is the one farthest from the bridge, belongs to Sir William Godfrey and Mr. Sands. It is a flood and head, or cap weir, and cannot kill the fish on the ebb; it was let with a cot-fishery for three hundred weight of salt Salmon, but does not yield half the quantity. The weir nearest to the bridge is of the same description; kills only on the flood; and belongs to Sir William Godfrey and Mr. George Wren; it is let for £3 a-year. The next weir above the bridge belongs to the Commissioners of Woods and Forests, and is held under them by Mr. Francis Spring, at, he thinks, £1 a-year rent. Mr. Spring gets another man to fish it for him; it is like the others, a head weir, but fishes on the ebb only. The next weir is about one-fourth mile up at Brackhill; it is an ebb weir also; it stretches across the channel as do the others; it is on the property of Mr. George Wren, and is held by Maurice Shea and James Carroll for one-half hundred weight of salt fish. There is another ebb and head weir about one-half or one-fourth mile above; the jaws of this weir extend across the channel; it is the property of Mr. James Day Eager, and pays one-half hundred weight of salt fish also. Ships of one hundred and forty tons, brigs, brigantines, sloops, and schooners come up to the quay of Castlemaine. The weirs extend nearly across the river; but there is a gap between them and the shore. The stages of the weirs are a little more to one side than to the other, and the breadth of the river, where the weirs are, is about eighty feet. Witness is certain that if the weirs were out of the river, vessels would come up better; but no accident has occurred these fourteen years, nor any injury done: he is willing to put up with any loss or bear any injury the vessels might do by falling back on the weir. Vessels have sometimes lost the tide in consequence of these obstructions; boats without masts can go above the bridge. The tide goes up three miles, as far as the stone weir and beyond it; and the river is navigable. There is a ford called "Thompson's Ford," about a mile below the stone weir, which is passable at low, but not at high water. The stone weir is about four miles distant by the round of the river, and two in the line of a bird's flight. The stage or eye of the weir is not dry at low water. In all there are five head weirs between the stone weir and the sea. Haul or draught seines fish below the weirs; and cot-fishing is carried on above the abbey weir; there are two pair of cots below the bridge and one pair above it. The 24th of June is the regular time for the Salmon fishery; some years they catch them in March and April. The white Trout run up in March, April, and May. Seldom fished for Salmon after the 29th of September; July and August are decidedly the best months, and July is better even than August. In September the fish are declining; they are then beginning to lose colour, but they are still good to eat. Sometimes sells his fish to a fishing company, but generally to women; he catches but few. The pea shows, for the first time, in September; the Fry run down in April and May, and some in the beginning of June. April and May are the best months for white Trout. There are very few, and that not often, to be had after May; but in June and July there is a run of a small inferior kind of Trout, called a "Pink;" these are about one-half pound weight. Witness thinks they are a different species from those that run in April and May. The month of August is good to the last; it is inferior to no month; and September to about the 15th, is also very good. The fish begin to fall off in the first Spring tides of September. This year has been very bad; but the two preceding years were the best they had for the last fourteen years. Ordinary tides rise twelve feet, and others much higher at Castlemaine. The bottom of the river is foul with stumps of trees and ballast which has been thrown into it.

Mr. John Walker, sworn.—Is a farmer, and lives at Rock Hill. Knows the Ballyfinane stone weir; it is on the estate of Lord Kenmare, and is held by Mr. Hewson and Mr. Mahony under Lord Kenmare. The weir is in the form of a V, and has an eye in the vertex. The breadth of the eye is about four feet. This is furnished with a bag or eel net, shaped to a point, and fastened to a pole which is stuck down into the river above; and there is also a second bag within. The wall is solid stone, and is about four feet high from the bed of the river; it is also upright on the downstream side. Only high tides come up to it; neaps rise within about one foot of the top of the wall; but high spring tides rise two feet or more above the wall, and flow to Drowmcreague, about one-half mile by the river, higher up. There is no free pass in the weir; the net is set at night time only; and when high tides are flowing in, boats of five feet draught of water can go up as far as the weir. There is another ford above that, but he would say that the tides rise four or five feet over it; and there is a long pool higher up which enables the boats to go very far up. The upper weirs are not fished till the 1st of June; and about a mile above the bridge, the Salmon take the fly in July and August. There are several fish in the river in September; and as far as he has observed, the pea and milt do not begin to increase until about the beginning of October. He never saw a September fish with any thing like

* This weir has been since removed. It was entirely prostrated in the presence of Mr. Barry, on the 30th of May, 1845, by the occupying tenants of the lands, and with the full concurrence of their landlord, Mr. Mahony, and also of Mr. Galway, agent to Lord Kenmare, the proprietor in fee.

APPENDIX, No. II.

The Maine.

Migration.

Spawning ground.

a pea in it. The Salmon Fry run down the river in April and May; the spents descend to the sea in March and April, and he has killed one in May. The fish that spawn early come down early; and those that are late in spawning are late in descending. The river is too deep down at Castlemaine to do much harm to the black fish. White Trout do not run up the Flesk. The principal spawning ground of the Maine is the tributary, called the "Brown Flesk," and even as far as Dick's Grove, and Castle Island. The Flesk is a clear river, and very few fish can escape in it.

The other persons present, Daniel Sullivan, Mr. T. Giles, Michael Moriarty, Timothy Shea, Daniel Griffin, and James Sheehy, all approved of the evidence given by John Moriarty and Mr. Walker, and this inquiry terminated.

No. 1.—LETTER from HENRY LEAHY, Esq., to WM. T. MULVANY, Esq.

South Hill, Killarney, November 15, 1844.

No. 1.—Letter from Henry Leahy, esq., to Wm. T. Mulvany, esq.

DEAR SIR,—I thought I should have had an opportunity of saying a few words to you in Killorglin, on Wednesday, and asking your advice as to how we should manage respecting the weir, supposed to be Hurley's, at the mouth of the River Laune. Within the last eight months, we have summoned Hurley five or six times before the magistrates, at Killorglin, for being the owner of it: and it is no later than last Wednesday week, since he was last summoned, but have on each occasion failed in proving, to the satisfaction of the magistrates, the fact of the ownership of it being vested in him. I am quite aware that it would be perfectly legal to take persons down and demolish it, inasmuch as it was before convicted as being illegal; but it would be very unsafe for any persons, without the protection of a large body of police, to attempt to take it down, as it could not be done without bloodshed, it having been necessary, when it was taken down before, to have a stipendiary magistrate and fifty police present, and no magistrate will direct the police to attend for such a purpose. There was a fact given in evidence before you in Killorglin, on Wednesday, by Power, Mr. Keay's agent there, to which I would wish to call your particular attention; it was, that during the month of January last, he was able to buy, unknown to the water-bailiffs there, over 500 Salmon. Perhaps it may have occurred to you at the time, that he would not have done so but that there was a doubt in the minds of the magistrates as to its being the Close Season, and their consequent unwillingness to fine him if he had been summoned before them. But the fact is not so. The water-bailiffs summoned before the magistrates every person (and they were many in number) whom they were able to detect fishing in that month, who were convicted and sent to gaol. If power was given to the police, who are a responsible body for their acts, as was suggested by the fishery society here, to seize during the Close Season all boxes, &c., which they had strong ground for supposing contained Salmon, Mr. Power, and Mr. Keays, and every other fish merchant would be obliged to follow some other pursuit during the Close Season, as I myself had often an opportunity last January of pointing out to the police boxes full of Salmon passing through Killarney that month, but though knowing such to be the fact, yet I did not get them seized as I did not see the Salmon. I did not, however, until I heard Power's evidence on Wednesday, think the destruction of the Salmon in January prevailed to such an extent, as I am certain Power did not get more than half of what were killed, there being two other fish merchants also buying in Killorglin. Another very effectual way to prevent the destruction of Salmon during the Close Season, particularly the breeding Salmon, would be the introduction of a clause in the Fishery Bill, such as the twenty-third amendment, suggested at the Munster Fishery Meeting. Without some such additions to the Act, it will be impossible for the upper fishery proprietors to have an income from their fisheries, after paying water-bailiffs to protect the breeding Salmon, and to prevent the destruction of Salmon in the Close Season in the Laune; as of course it cannot be expected that the lower fishery proprietors will pay bailiffs for watching themselves; and after paying for prosecutions, is in fact nothing at all, as I am perfectly well aware. As far as I am personally concerned, I have got no interest whatever in the fisheries here, as I have never yet thrown a line on the water for the purpose of catching Salmon, neither do I think I ever shall do so; but I am well aware what advantage the preservation of the Salmon, particularly the breeding fish, would be in a short time to the inhabitants of Killarney and the public in general, to the greater part of whom Salmon is at present such a luxury, being monopolized by a few. I believe I am the greatest enemy the poachers both in the lower and upper weirs have got, and that were it not for my exertions against them, poaching during the Close Season in the Laune would be carried on to a much greater extent, and the prevention of the destruction of the spawning Salmon in the upper weirs altogether neglected. The fishery proprietors here, and myself, having re-considered the evidence given before you at Killorglin, and that it was evident from it that the fish were done spawning the 1st of February, have got no objection, if the Commissioners have not got any, that the season for fishing in the Laune and its tributaries should commence on that day. It would be the interest of the proprietors here that the season for fishing should not commence here until the 12th of February; but, on the other hand, they consider that by allowing it to commence on the 1st of February, poaching in the Close Season would not be carried on to such an extent. Their only objection before to the 1st of February was, thinking the Salmon were not done spawning at that time, but now they are of the contrary opinion. Hoping you will excuse the liberty I take in writing this to you,

I remain, dear Sir, your obedient Servant,

HENRY LEAHY.

Wm. T. Mulvany, esq.

No. 2.—LETTER from the Rev. Wm. DE MOLEYNS to WM. T. MULVANY, Esq.

Killorglin, 25th November, 1844.

No. 2.—Letter from the Rev. W. De Moleyns to Wm. T. Mulvany, esq.

MY DEAR SIR,—We have had a communication from the Killarney gentlemen stating that they had written to you while at Kenmare, to say that they had re-considered the evidence with respect to the Close Season, and that they were now willing that it should end on the 1st of February. Truly we feel

much obliged to them; they first bring a host of witnesses to endeavour to prove that breeding fish may, by some possibility, be caught up to the 15th of January, in which they failed, and now they concede the great boon of twelve days. Their object is evident, to prevent us catching any fish in January in order that they may catch them in February. But as we consider that we have more to expect from your sense of justice, than from their generosity, we ask, after the evidence you have heard here, which must of course be taken '*cum grano salis*,' whether you have a doubt on your mind that it would not be injurious to the breeding Salmon to permit us to fish on the 15th of January. I have read your addresses at the different meetings since you were here, and as I understand from them, you seem to think, and properly, that the greatest quantity of fish taken, and of the best quality, should be the test by which the Open Season should be regulated; and also the fisheries in estuaries and at the mouths of large rivers, being, after all, the only fisheries which supply the great bulk of Salmon, should, in the first instance, be looked to. Now it is a fact beyond contradiction, that the month of January is one of our best months for fishing, and that the fish are then in the highest condition. It is also a fact that no breeding fish can be taken during that month, in any legal fishery in this locality. It is true an odd fish may remain in the mountain streams up to the 15th of January, where no fishery exists; but the law provides a punishment for such as take them at *any period* of the year; and the Killarney gentlemen knowing this, *remove the bailiffs before the 1st of January*, not deeming it worth while to look after a miserable late fish. And why, I ask, should we be deprived of the power of fishing in the best month in the year, to gratify a few anglers, being the only means we have to pay the heavy rents and costs we incur. It is unjust towards us in the highest degree—every fish that runs up our rivers during November and December and January are good fish; do not breed, if they escape being taken in the lake, until the November in the following year; and as certain as they go up, so sure are they to be taken without exception, in the lake. It is true they are inferior fish, yet we are not permitted to have our fair share of them when in the highest condition. I need not intrude further upon your valuable time. Your opinion will altogether guide the Commissioners; and your sense of justice will, we are sure, lean towards the wants of our 300 poor fishermen, solely dependent on the Salmon fisheries as a means of existence. I may mention that it was proved here, that there were only six persons who made a trade of it in Killarney. You, no doubt, wish for one season over all Ireland. This you must now be aware would be impossible. Let every preservative society mind their own rivers, but do not let early fisheries be sacrificed to late ones. I am glad to see that it has been indubitably admitted at all the meetings that the fish are heavy with spawn in August. There is no doubt of this; but anglers wish to fish at this very period, as breeding fish have an especial desire to bite at this period of their existence. I trust you will excuse this long letter, and give us every fair chance of catching fish when in season.

Wm. T. Mulvany, esq.

I remain your's truly,

WM. A. DE MOLEYNS.

APPENDIX, No. II.

The Maine.

No. 2.—Letter from the Rev. Wm. De Moleyns to Wm. T. Mulvany, esq.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at KENMARE, COUNTY KERRY, SATURDAY, NOVEMBER 16, 1845.

SUBJECT OF INQUIRY.—THE RIVERS CURRAAN AND EENAGH OR INNY AND THEIR TRIBUTARIES, AND ALL OTHER SALMON RIVERS TERMINATING IN BALLINSKELLIGS BAY, OR ON ANY PART OF THE COAST BETWEEN BREA HEAD AND LAMB HEAD. ALSO THE RIVERS KENMARE OR ROUGHTY, THE SHEEN, CLONEE, OWENSHAGH, CROANSHAGH, AND THEIR TRIBUTARIES; AND ALL OTHER SALMON RIVERS TERMINATING ON THE COAST OF THE COUNTY KERRY BETWEEN LAMB HEAD AND THE BOUNDS OF THE COUNTY CORK.

THE CURRAAN.

James Butler, esq., of Waterville, sworn.—Is proprietor of the Curraan Fishery. It is an exclusive fishery. Pays a chief rent for the fishery and the lands; and holds them under lease in which are the words: "the lands of Curraan and the Fishery thereunto belonging." Thinks that these words include the exclusive right of fishing the river and the lake above. There are several other proprietors of lands adjacent; but, from time immemorial, the ancestors of those who made his lease, exercised an exclusive right over the fishery of the lake. Never prevented fishing in the upper part; in fact, he never took the trouble to prevent it. Produced his patent at a late trial; and James O'Connell, esq. of Lakeview, gave evidence of the fact of his having the sole right, which was then irrevocably established. The other proprietors of whom he spoke are, Mr. James O'Connell, Mr. Staughton, Mr. Mahony, Mr. Hartopp, and Mr. D. O'Connell. Has a very large Trout as well as Salmon fishery. Spawning commences in November, and ceases, according to what his keepers say, after Christmas. On his river they never see any spawning after January. Nearly all the fish have done spawning on the 1st January: there may be one or two spawning after that, but the great bulk have all spawned at that time. The fish in the higher parts of the river spawn soonest. On the Eenagh, black Salmon are killed in November, December, and January. The Eenagh is later than the Curraan fishery. The fish do not run in the former till July; while the Curraan is essentially a Spring fishery. Before the passing of the late Act, used to cease fishing on the 12th of August. The Trout and Peal fishery was much

The Curraan.

Exclusive fishery.

Spawning.

Fishing time.

APPENDIX, No. II.

The Curraan.

Peal and Spring Fish
different species.

Protection.

Development of pea.

Spents.

Trout.

Fry.

Net fishing.

Produce.

improved by the system of protection which he adopted; but the Spring Salmon fishery was not improved: and, in his visits to the 'Begh,' finding a difference between the fish of that river and the Curraan, he has been induced to think that the fish of the Eenagh and those of the Curraan are a different kind; and as the Trout and Peal increased in consequence of protection, and the Spring fish did not, he formed the opinion, of the truth of which he is now firmly convinced, that Peal and Spring fish are a different species. Is quite satisfied such is the case. They are different in shape, spots, and size; and these, he takes it, are the distinguishing characteristics of every animal. Is not aware that in other animals of the same species such accidental differences exist. Is not aware that this question has been investigated by naturalists, and that they had come to different conclusions. He then commenced to take the Salmon out of the weir in a small net in the months of June and July, and let them run up into the lake; and this he found to increase the Spring fishery considerably. This experiment he first tried about fourteen years ago, and has continued it since with very beneficial results. Commenced to protect about twenty-five years ago or more, and the Peal and Trout fishery improved very soon after. He has frequently, perhaps in two hundred instances, caught spent Salmon Peal in their descent to the sea, marked them in such a way as that he should know them again, and the following season he caught them coming back still as Peal, and bearing the same marks. The Peal are in the highest season in June and July; whilst at the same time the Spring Salmon have deteriorated and lost colour. Nine pounds is the greatest weight for Peal, and they are rarely so heavy. There was a gentleman at his place last year who had been under the impression that Peal and Salmon were the same species; but having mentioned these circumstances to him, he was led to alter his opinion. There is always pea in the female Salmon: it is to be found at all seasons, and any day in the year. This is the case not only in January but in April and May; and is the case with Peal as well as with the Spring Salmon. It is not to be sure greatly developed; but it is as large as his finger in the Spring Salmon, and of a proportionate size in the Peal. His keepers say they never see fish spawning after Christmas; but he is puzzled to know when the Spring fish spawn. Before the establishment of a fish-market at Killorglin, he used to send all his fish to Cork. The spents commence to run down after Christmas, and continue until May: the greatest quantity go down in April. The Trout come down from the 20th April to the 20th May: they are larger than Salmon Fry. The Salmon Fry do not commence to run till April; and they cease about the 20th May: he has seen them at that time. Does not fish with nets in the sea. He tried for two years in succession, before 1810, about the same time that he commenced the system of protection, and he found that it injured the fishery of the river; and they did not catch *half as much* in *both the nets and the river*, as they did in the river *only* before. There was nothing unfavourable in the state of the weather at the time he tried the nets; but it is his impression that he disturbed the fish, and, without taking them in the nets, he prevented them from going up to the weir. Has a return of the quantity of fish taken at Waterville for a number of years, together with the prices for each month. The following is correct:—

Date.	Salmon.	Weight.	Rate.	Amount.	Date.	Salmon.	Weight.	Rate.	Amount.
		lbs.	s. d.	£ s. d.			lbs.	s. d.	£ s. d.
January, 1835,	10	90	1 0	4 10 0	1843.				
February,	21	185	1 0	9 5 0	January,	122	1,130	1 0	56 10 0
January, 1836,	87	730	0 9	27 7 6	Feb. 1st to 12th	63	546	1 0	27 6 0
February,	45	371	0 9	13 18 3	12th to 28th	41	331 ³ / ₄	1 0	16 11 9
January, 1837,	24	209	0 10	8 14 2	March,	210	1,797		
February,	23	201	0 10	8 7 4	April,	58	511 ³ / ₄		
March,	3	27	0 10	1 2 6	May,	10	91 ³ / ₄		
April,	17	148	0 10	6 3 4	June,	99	647 ¹ / ₂		
81 trout	199	0 5	4 2 11		July,	129	721 ¹ / ₂		
January, 1838,	7	59 ¹ / ₄	1 1	3 4 2	August,	—	—		
February,	6	56	1 1	3 0 8	Total,	732	5,777 ¹ / ₄		
March,	66	555	1 1	30 1 3					
April,	51	456	1 1	24 14 0					
January, 1839,	13	126	1 0	6 6 0					
February,	43	411	1 0	20 11 0	1844.				
March,	52	477	1 0	23 17 0	January,	Weir	left	open.	
1840.	Account	not	found.		Feb. 1st to 12th	139	1,237	1 0	61 17 0
January, 1841,	30	267	1 3	16 13 9	12th to 28th	146	1,284	1 0	64 4 6
February,	78	750	1 3	46 17 6	March,	91	795 ¹ / ₂		
March,	166	1,538	1 3	96 2 6	April,	80	675 ³ / ₄		
April,	79	712	1 3	44 0 0	May,	37	271		
January, 1842,	77	696 ³ / ₄	1 0	34 16 9	June,	634	3,281		
Feb. 1st to 12th	63	524 ³ / ₄	1 0	26 4 9	July,	264	1,507		
12th to 28th	36	298	1 0	14 18 0	August,	51	335		
March,	134	1,142 ³ / ₄			Total,	1,442	8,986 ¹ / ₄		
April,	64	540 ¹ / ₄							
May,	152	1,236							
June,	334	1,705							
July,	626	3,335							
Total, 1842,	1,486	9,478 ¹ / ₂							

[illegible]

Total weight of fish killed during the following years :—

Salmon.				Trout.			
	Tons	cwts.	qrs. lbs.		Tons	cwts.	qrs. lbs.
1842—4	4	2	14	1	10	1	19
1843—2	11	2	11	0	7	0	18
1844—4	0	0	26	2	16	2	25

Mr. Butler, in continuation.—Is of opinion that hauling outside is extremely injurious to the fishery. He applies for permission to fish from the 1st January. Black fish go up in December with the Spring fish; but they are only a few. He has also seen black fish, heavy in pea, go up in January; but not perhaps a dozen. His application for this change of season arises from his own peculiar position. The month of January is the most valuable month in the year; and if he be deprived of a privilege, which he always enjoyed, of fishing in that month, he will sustain a loss of at least £70 a year. If the fish were allowed to go up that month, very few would be ever taken by him, for they would all go to the anglers and others in the upper parts. He might as well be prevented from putting his cattle into his preserved grass, and permit others at the same time to use it. The season in the Ecnagh is totally different from that of the Curraan. The fish run much later in the former, and they should be therefore allowed to fish later: while the Curraan, being an early river, the fish should be taken in it early, and when they are in the best possible condition. Has often eaten the fish of the Ecnagh, and he never saw one curdy, while his fish always were. They used to begin fishing at Waterville on the 1st January, and ended on the 12th August. They commence to fish in the Ecnagh about May, and continue to September. If there were different seasons for the Ecnagh and the Curraan, it would be difficult to draw a line in Ballinskelligs Bay within which fishing might take place, and beyond which it should not. It is possible that those fishing in the bay for the Curraan fish would catch fish going to the Ecnagh, when it would be the Close Time in the latter river. He thought, however, that a distinction might be made, by having the “Carrigeana Rock,” which is about midway between the two rivers, the boundary of their respective fisheries in the bay. The Carrigeana is rather nearer to the Curraan than to the Ecnagh: it is about two miles from the mouth of the Curraan. By not letting those fishing for the Curraan fish go beyond that, he does not think they would catch the black Salmon of the Ecnagh. The bag net is not used out on the coast or in Ballinskelligs Bay. Does not know whether the bag net could be fished efficiently at Ballinskelligs Island. If the season be made uniform, there is only given to one what is taken from another; and if the seasons be not made different, to suit the natural differences of the rivers, it is but an invasion of private rights; and then all protection will be at an end. His return shows that a smaller quantity of fish was taken in 1843 than in 1842; and although the produce of 1844 is greater than that of 1843, it was still very inferior to that of 1842. He attributes this decrease to the fact of the fish having been killed outside: but there was scarcely any caught outside this year. The Spring fishery was increased in 1843; but the Summer fish were disturbed by boats outside the river.

Christopher J. Keays, esq., sworn.—Purchases the Waterville fish: has not a contract for the entire produce of the fishery, but buys whatever portion Mr. Butler thinks fit to send. His contract is at variable prices.

To Mr. Butler.—Had received a considerable supply in January from the Waterville fishery. Is of opinion that if January be included in the Close Season, Mr. Butler will sustain a very heavy loss; and if he be prevented from fishing until the 12th February, many years would elapse before he would be remunerated.

To Mr. Mulvany.—Has a return of the quantity of Trout and Salmon purchased by him from Mr. Butler during the last four years: it does not, as he before remarked, include all the Waterville fish, as his contract was not for the entire. The following return is taken from the books of his establishment, and is correct:—

APPENDIX, No. II.

APPENDIX, No. II.											
		1841.		1842.		1843.		1844.			
<i>The Curraan.</i>		<i>Salmon.</i>	lbs.	<i>Salmon.</i>	lbs.	<i>Salmon.</i>	lbs.	<i>Salmon.</i>	lbs.		
Produce.	January,	40,	372	January,	77,	733	January,	141,	1,137		
	February,	74,	721	February,	114,	1,022	February,	98,	878		
	March,	162,	1,499	March,	110,	1,009	March,	205,	1,871		
	April,	74,	663	April,	61,	545	April,	49,	468		
	May,	115,	922	May,	155,	1,330	May,	10,	97		
	June,	144,	801	June,	106,	567	June,	60,	411		
	July,	279,	1,712	July,	360,	2,085	July,	57,	320		
Total,		888,	6,690	Total,		983,	7,291	Total,		620	5,182
		<i>Trout.</i>	lbs.	<i>Trout.</i>	lbs.	(No Trout.)		<i>Trout.</i>			
	April,	15,	45	April,	29,	91		March,	5,	26	
	May,	225,	641	May,	—	1,526		April,	—	511	
	June,	281,	603	June,	—	53		May,	—	2,765	
								June,	—	2,164	
Total,		521,	1,289			1,670					5,466

James Butler, jun., esq., sworn.—The accounts of the Waterville fishery were kept by him, and the return handed in by his father is correct. The prices received vary according to the period of the season.

January fish.

Mr. Keays, in reply to a question from *Mr. Barry*.—The fish received in January from *Mr. Butler*, was quite as good as that got in any other part of the year, and was more valuable. The pea in the fish at that month is about the size described by *Mr. Butler*.

Enough season.

Mr. O'Dowd said, that he had a fishery on the Ecnagh, and was desirous of an Open Season on that river, commencing on the 1st May, and ending on the 1st October.

Mesh.

Mr. Timothy O'Sullivan complained, that the two and a half inch mesh, from knot to knot, was quite too large; it allowed all the Trout to escape, and even a considerable quantity of Peal.

Mr. Butler thought that the present mesh was quite small enough for the capture of Trout.

Mr. O'Sullivan remarked that a five pound Salmon could pass through it; and that the poor fishermen suffered a considerable loss in consequence of its being so large.

Mr. Godfrey said, that the ten inch mesh was decidedly too large for taking Trout; but, that as it was sufficiently small for the capture of Peal, he did not wish that it should be diminished. He himself caught three pound Peal with the present mesh; and if it were lessened, he considered that it would be injurious to the fishery, because it would take the very small fish.

Mr. Keays observed, that he considered the present mesh to be admirably adapted for the taking of Salmon in the Kerry rivers; but that the Trout were lost, to a very great extent, in consequence of its size.

Mr. O'Sullivan thought that an eight inch would be better suited to the fisheries of the country. Mr. Godfrey was enabled to take three-pound Peal, because he hauled in near shore, and was therefore able to put a greater strain upon his net, and thus lessen the size of the mesh, than if he fished out in the deep water.

Mr. Butler, in reply to a question from Mr. Barry, said that he never heard that Trout were destructive to Salmon spawn and Fry; nor did he think that any injury to the Salmon fisheries could be consequent on their being allowed to run up the Salmon rivers. He is of opinion that the small and the large Trout are a different species.

Mr. O'Dowd thought, if Mr. Butler were allowed to fish the Curraan on the 1st January, he would be benefited individually; but those fishing by common law right would be injured, and the gross produce of the fishery diminished by such a season; and by not opening that river in January, Mr. Butler would be ultimately benefited. He thought it right to apprise that gentleman that it was his intention to fish the Curraan Lake in the ensuing year, as he had permission to do so from Mr. O'Sullivan, Mr. Hartopp's agent. Exclusive of the produce of his own fishery, he paid £300 for fish taken in Ballinskelligs Bay in one year; he did not purchase any last year; but this was the case in 1841, 1842, and 1843.

Mr. Butler said, that in these years those fishing by common law right drew their nets up to the mouth of the river, and even threw stones up the river in order to drive down the fish.

THE EENAGH.

The Female.

Mr. O'Dowd said, that he fished opposite the sand banks of the Eenagh, and between them and low water mark, both above and below the ferry; and called Daniel O'Sullivan for examination as to the fishery of that river.

Spring fish.

Daniel O'Sullivan, sworn.—Is manager of the Eenagh fishery for Mr. O'Dowd. Has been fishing the Eenagh these four years; heard that there was a Spring fishery there a long time ago. Heard an old fisherman, named William Bradley, say that he killed odd

Spring Salmon in that river in February and March, above the ferry house. Within these four years he has seen some Spring Salmon go up with the flood, and come down with the ebb below the bridge. There are no distinguishing marks between the fish of the Eenagh and those of the Curraan; he would not know them asunder. William Bradley told him that the season on the Eenagh commenced on the 1st July, and continued to the 1st October; and he has known this to be the case in his own time. The greatest quantity of fish is caught in August. They do not fish in June near the ferry; but they commence outside on the 14th June, and they fish at that time with success. Sends his fish to Killorglin, and sometimes opens them; the August and September fish are merchantable. The pea, in these months, is about as thick as his finger; they do not catch red unmerchantable fish in these months; the only unmerchantable fish they get then are those which are injured by porpoises. The fish are on the scours in the latter end of November and December; but he never saw them in January; and he examined the river in that month. He saw them on the scours after Christmas; but he cannot now recollect what length of time after. The spents come down in February, March, and April; and the fry at the latter end of April, and the beginning of May. Never fished in the Eenagh in January. Thinks that the fish which go up early spawn early. Is of opinion, that if the river were properly preserved, there would be Spring fish in it as well as in the Curraan: but they are not found in it now, because the breeding fish are destroyed by poachers. The fish taken in the Eenagh are as good as those of the Carra in August and September. Paid for Mr. O'Dowd £6 for the preservation of the river last year. Some malicious persons poison the Eenagh; there were only twenty or thirty Salmon taken last year in consequence of the destruction of the fish.

Mr. O'Dowd did not think it prudent or advisable for a man having a long lease to fish after the 20th August, and between that and the 1st September. If he had a perpetuity in the Eenagh, and was not a tenant-at-will, he would wish for an uniform Open Season, commencing the 1st February, and ending the 20th August, because the interest he would then have would cause him to protect; the fish would then be allowed to spawn early; and thus an early Spring fishery would be produced. Thinks that under such circumstances it would not be expedient, or ultimately profitable, to fish after the 20th August; nor is the fish, at that time, as good as previously. The early fishery is the most valuable, and preservation will make it so; but a tenant-at-will does every thing he can to catch the fish without any regard to the future.

Mr. Godfrey applied, on the part of Mr. Bland, for an extension of the Open Season, on the Sneem, to the middle of September, or the 1st October, as the fish run very late in that river.

Mr. BARRY then read the following evidence of Mr. Bland's water-keeper, given at Sneem that morning, with which Mr. Godfrey fully concurred:—

"The fish are taken with seines at the mouth of the River Sneem and in the pools. There are no bag nets used outside, as the adjacent river is too rough and rapid. There are two rivers, the Gearha and the Levanagh; and they join at Sneem Bridge, and form the Sneem River. The river thus formed is about three English miles in length before it meets the sea. The fishery of the Sneem has very much declined; it is a very rapid river, and it is the opinion of witness, that the spawn of the fish has been injured. There is no destruction of fish either by poaching, lights, or poison on the Sneem. The fish do not come into the river till the 1st June; and they spawn from November to February; the fish are in season from June to the 29th September. Spent fish descend to the sea in March. All the land on both sides of the river belongs to Mr. Bland. The produce of the fishery, when it was good, used to be about two and a half tons in the year. Otters destroyed great quantities of the fish. The average of Salmon to Peal is about eight Salmon to one hundred Peal."

THE BLACKWATER.

The Rev. Denis Mahony was desirous of an extension of the Open Season, on this river, to the 20th September, as an outside, because he has seen a greater quantity of fish taken in the latter than in the early part of the season; his fishery is in the tideway.

Mr. Keays, sworn.—Buys the Blackwater fish, and has done so for many years. Seldom gets any fish from that river before the middle of June, and the supply continues till about 12th September. Always got the largest quantity in the latter part of August; the fish got at that time were chiefly Peal, and were in particularly fine condition; so much so, that although they came to Cork by land carriage he preferred icing them for the London market, in preference to the Cork fish. The proportion of Salmon to Peal, in the latter end of August and up to the 12th September, to which time they continued in good condition, was about eight Salmon to 100 Peal. The fish of the Blackwater, from August to September, are in the finest condition of any fish in the south of Ireland. They are then progressing to a breeding state. Thinks it would not, however, be expedient to make a special exception in the case of the Blackwater, if the change be not general in the South of Ireland.

John Henessy, sworn.—Is a water-bailiff, and acquainted with the Blackwater fisheries these twenty years. The fish commence to spawn at the latter end of November; he never saw a scour in the Blackwater before the 20th November.

Mr. Godfrey would extend the Open Season at the latter end of the year, because it is at that time he catches the greatest quantity of fish in good condition.

Mr. Keays thought formerly that the rivers in the South of Ireland should have different seasons; but the information given on this Inquiry through its circuit has induced him to

APPENDIX, No. II.

The Eenagh.

Former season.

August and September fish.

Spawning.

Migration.

Result of protection.

Expense of protection.

Season.

The River Sneem. Season.

Spawning.

Produce.

The Blackwater. Season.

Supply.

August and September fish.

Spawning.

Extension of season.

APPENDIX, No. II.	believe that protection, and an adherence to a uniform season, would assimilate the habits of the fish in rivers, now appearing to be different. He thought, therefore, that it would be injudicious, on general grounds, to have one season for the Blackwater, and a different one for the other rivers in Kerry.
<i>The Blackwater.</i>	
Uniformity.	<i>Mr. Mahony</i> said, that there was no use in having an overstocked river; and this would be the result of not being allowed to fish up to the middle of September. Fish were made for the good of man, and should be taken when they were found fit for human food.
	<i>Mr. O'Dowd</i> said, that the reason of his opinions as to the necessity of uniformity arose from the impossibility of distinguishing between the fish of two rivers running into the same bay.
Preservation.	<i>Denis M'Carthy</i> stated, that the Blackwater has been strictly preserved these four years, and no alteration has taken place in the time at which the fish ran up the river.
	<i>Mr. Godfrey</i> admitted that the river has been poached during the last two years.
Poisoning.	<i>Mr. O'Sullivan</i> said, that the people were not permitted to angle, and from this arose a spirit of hostility to the proprietors. He knew the river to have been poisoned from its source to the mouth. The fishery was very productive, but it would have been much more so were it not for the extensive system of poisoning that was practised.

THE ROUGHTY.

<i>The Roughty.</i>	<i>Mr. Hickson</i> wished for an extension of the season to the 20th September, or the 1st October, on the Roughty, Sheen, Finnehy, Clonce, Owenshagh, and Croanshagh.
Season.	<i>Daniel M'Carthy, esq.</i> , sworn.—Has lived for many years on the Roughty, and is well acquainted with the river. Spawning commences there on the 15th November, and ends the 1st January. Would extend the season on this, and all the other rivers terminating in the Bay of Kenmare, to the 20th September or 1st October. Understands that they fished in the Roughty up to 1st September, and beyond that time; he should say to the 29th of that month. When he says that spawning commences in the middle of November, he speaks of the entire river. He is not aware that fish spawn earlier in the higher than in the lower parts; but would not be surprised if such were the case. Has heard that black fish come down in February and March, and up to the 1st May, but does not know it of his own knowledge.
Spawning.	<i>Owen Sullivan</i> , sworn.—Is an old fisherman, and an angler. Is acquainted with the spawning in the Roughty. Saw the fish on the scours there from the 10th November to the 1st January. Never saw any, except an odd one, after that time; never saw them in any numbers after the 1st January. Knows the upper parts of the river; and an odd Salmon, that would escape poisoning, would spawn earlier above than below. Black fish descend to the sea from the 1st or 10th February to 1st May; and the fry from the 17th March to May; there may be a few after that month. The people used to cease fishing on the 29th September, and some continue that practice up to this time. The fish are very good at that time; but they are beginning to change their colour. The fish have pea in them every day in the year, except immediately after spawning. The pea is about middle size on the 29th September. The fish which go up early spawn early. The fish which go up in August might spawn in November. A great number of fish go up in August; but they are destroyed by poisoning. About forty-six years ago, when the people were prevented by <i>Mr. Orpen</i> from fishing in the Roughty with spears and rods, the system of poisoning commenced; but it did not prevail to so great an extent as in late years. When liberty was again given to fish, the poisoning ceased; and the fishermen became the protectors of the river. This permission was withdrawn by <i>Mr. Orpen</i> after a few years, and then the practice again commenced, and has been continued to the present time. There has been more poisoning these latter years than previously, and more since, than before, the late Act. It is about forty years since the practice commenced a second time; it was immediately consequent upon the withdrawal of the permission to angle, which existed for only four or five years. The practice, which prevails now to a greater extent than at any previous time, is not caused by any prohibition against angling at present, for there is no restriction to rod fishing except in the close time.
Spents.	
Former season.	
September fish.	
Spawning.	
Origin of poisoning.	<i>Denis M'Carthy, esq.</i> , of Kilgarvan Lodge, sworn.—Spawning commences about the 20th of November, and the great bulk have ceased at the latter end of December. An odd one may commence about the 15th of November; and a good many, but not so much as in December, spawn up to the middle of January. Never saw any spawning in February. The spawning grounds are in every shallow throughout the river. A few black fish come down in February; the great bulk in March and April; and some, but not any number, in May. Has a fishery about five Irish miles up the river, and four above the tideway. Fishes with nets, and begins in June. Tried once in March, and caught some season fish; but the greater number were spents. The best fishing months are August and September; the greatest quantity is taken in these months. Thinks that the fish which go up in August, spawn earliest. The old practice was to fish till the 29th of September; but it has ceased these last two years. There is an immensity of poisoning in the Roughty, and it has been very destructive to the fishery. Concurs in opinion with the last witness that the practice was caused by restrictions; but latterly there could be no complaints on that score. The people have now every indulgence in angling and spearing; and every man may fish in the proper season without any obstruction whatever: but persons were prevented from angling in the Close Time, and they did not like that. Anglers would not poison the river. The parties who are guilty of the practice are strongly suspected; it is not confined to one or
Spawning.	
Spents.	
Time of fishing.	
Best months.	
Former fishing time.	
Poisoning.	
Angling.	
Poisoning.	

two persons. Is of opinion that they do it for sake of the fish, and not from any hostile feeling towards the proprietors on the river. Does not think that they suppose poisoned fish to be injurious as food. Heard some say it was injurious; but it is the very poor people who think it a great luxury to get Salmon even in that state, that poison the river. Those who are found in the morning taking the fish out of the river are suspected. These persons never fish. The anglers would like the river to be preserved; but have an objection to punish or prosecute. Heard that one clergyman raised his voice against this practice, and pointed out its injurious consequences.

Mr. Florence M'Carthy, of Sunville, sworn.—Is acquainted with the habits of the fish of the Roughty river. Spawning takes place from November to January. The generality of the fish are not so fat in September as in July, in the upper part of the river. Knows that the river has been occasionally poisoned for the last thirty years. It is generally done in Summer. Has frequently seen the Salmon in fives and tens, lying dead along the river. There was not much water in the river at the time; but nothing else could have killed the fish except poison. They steep flax in the river, but not to any extent. Thinks that the practice of poisoning arises from the strictness with which people are prevented from fishing. Restraints from fishing in the Open Time have existed these ten years; they have been increasing for the last four years, and have become still more stringent during these two past. In proportion as the strictness increased, the tendency to this mischievous practice also increased. Knows, of his own knowledge, of people being prevented from fishing; and he heard them say, that if they were allowed to fish they would not poison. They were not prevented on their own lands, but they were on the lands of their neighbours. Knows of his own knowledge, that respectable persons poisoned the river themselves. Knows of one case in which a respectable person poisoned the river himself, and had another prosecuted and convicted for the crime. Never knew the Orpens to hinder any one from fishing within the last year.

Mr. Hickson, the agent of Lord Lansdowne, wished, on the part of his lordship, for the same extension of season on all his lordship's rivers as that which had been applied for on the Roughty. The evidence given as to the Roughty was applicable also to the others; and he fully concurred in its being so used.

THE CLONEE.

Mr. Philip O'Sullivan, sworn.—Has been living at Clonee for a long time, and rents the fishery of the river under Lord Lansdowne. Is of opinion that it would not be injurious to the fishery if fish were taken up to the 12th of September. Never heard of poisoning in the Clonee; and he knows the river these forty years. Never prevents angling in the Open Season. Fishes with a net in the tideway; the fishery is rather diminishing. Pays for the protection of the river, but he fears it is not protected. There are three large lakes on this river, and some small ones besides. There are no Spring fish in this river. They begin to fish for Salmon in July; but the Trout fishery commences sooner. The usual stopping time was the 29th September; but the fishing was not continued so long these last few years. A great many fish go up after he ceases fishing, and several during his fishing time; there is no net hauled in the upper parts of the river; and yet one-tenth of the fish that go up never return. Finds the Salmon in as good condition in September as in any month in the year; has not seen any fish change their colour in that month; they are then as bright as in July. Spawning commences in November; they are never very cautious about protection until the 20th: all the fish, with the exception of an odd one, have spawned at the latter end of December. The general run of the fish is from nine to fifteen pounds weight; they are that weight in July. Salmon fishing is pursued in the deep water out before the mouth of the river; but he does not exactly know whether it commences before or after his fishery in the river. Does not think it worth while to watch the river after the 1st January. Has killed Salmon of twenty pounds weight, but very seldom; there are very few Salmon caught in June.

SECOND DAY.—KENMARE, MONDAY, NOVEMBER 18, 1844.

Daniel Sullivan, sworn.—Is a fisherman; lives at Kenmare; and is acquainted with the fisheries these forty years. Holds a one-fourth part of Lord Lansdowne's Kenmare fishery, extending from the mouth of the Sheen down, about two miles opposite the mouth of the Finnehy. Other persons fish from Dourus downwards. The "sweepers" have intruded upon their fishery: he has fished there for the last three years; and within that time, the "sweepers" have come up to the very bridge. £18 a-year is paid for the fishery, the fourth part of which he holds. He fishes up the Sheen, in a pool above the bridge; but does not fish in the Roughty or Finnehy. Fishes at the mouth of the Finnehy; the Roughty fishery belongs to the College. Has taken about thirty Salmon in one haul; does not know what quantity has been taken in the fishery during the entire year. Has a part with Henry Duckett, and pays one-fourth of the rent.

Henry Duckett, sworn.—Lives at Kenmare, and holds the Kenmare fishery from Lord Lansdowne. He has known the Kenmare fishery these forty years; and during that time it always extended from the mouth of the Sheen river to Reenaveagh Point, opposite to

APPENDIX, No. II.

The Roughty.

Spawning.

Poisoning.

Flax steeping.

Restraints from fishing in Open time.

Poisoning.

The Clonee.

Season.

Angling.

Protection.

Fishing time.

September fish.

Spawning.

Weight of the fish.

Kenmare fishery.

Rent.

Produce.

APPENDIX, No. II.	Dromore Castle, a distance of about six miles. Is a yearly tenant, and has no written agreement for the fishery. Fished for the last thirty years below Mantua's Rock, about one-fourth mile west of the Finnehy. But the constant fishing place is from the west of the suspension-bridge to below the mouth of the Finnehy. Fishes also above the bridge; there are two or three good hauling places west of the bridge. Pays £18 a-year rent, but got a reduction of one-fourth for three years since 1842. The fishery has decreased these four years past. He attributes this falling off to the destruction of the river, and to the "sweepers" hauling on his ground. He is often obliged to leave his hauling place in consequence of their encroachments. Has known so much as fifty Salmon to be taken in a day by such persons. The "sweepers" commenced this work about four years ago on his place, but there were some engaged in it six or eight years ago. They have even fished above the suspension-bridge; but he was told by professional persons that there was no use in prosecuting, as the river had not been defined. About twenty-five or twenty-six years ago, killed 330 Salmon in one haul, at the suspension-bridge. That was the largest haul he ever made; does not recollect the quantity taken in any one year about that period. There was no demand then for fresh Salmon; but the prices have been decreasing these last four years. He sells his fish in Killorglin; and the prices there have been so low as 1½d., 2d., and 2½d. per pound; attributes this to the quantity of fish which is caught. They used to continue fishing till the 29th September. They sometimes shoot their net without seeing the fish, and haul immediately; they at other times rest before hauling. There is no market for fish in Kenmare; and the produce is sold in Killorglin. It is there, and in the month of August and from that out, he gets 1½d. per pound. The price was never so reduced as latterly. Sometimes sells for 2d. a pound, carriage and all. He does not think his fish is inferior to the other fish brought into the market. Sometimes opens his fish; they show pea, and become baggy, touching on September. Almost all the fish he catches are Peal; takes very few Salmon—not one out of ten. Considers that they are destroyed in the upper rivers, as they are not caught below. Thinks there would be plenty of stock for all, even though the up-stream fishers were allowed to fish to the 12th September. Would wish to benefit his own fishery, and also that of the people in the upper parts. Is aware that a fishery will gradually become late, in consequence of fishing late; and it is in consequence of that he would cease fishing on the 12th September. By doing so he does not mean to make the fishery late, for he would haul only in a certain pool; and then enough of seed would remain to stock the river. Of course others would be hauling other pools at the same time; and by that means he admits that all the fish going up to breed, might be intercepted up to the 12th September. Instead of not having fish till June, it would be better to have it in March, April, and May. If the modes of destruction, at present resorted to, were given up, he would agree in the principle of letting the fish run up early for the purpose of breeding, because he is convinced that by doing so, the fishery would become an early one. He is fully aware that the fish which go up early breed early; and that it would materially benefit the river to allow the fish to pass up from the latter part of August. The wish he expressed that the season should extend to the 12th September, arose from artificial not natural causes; but, <i>absolutely speaking</i> , it would not benefit the fishery to extend the season. The fish are not so good in September as in the earlier part of the year; nor are they so good above as below in that month. There is a pool above the bridge, and there is the greatest possible difference between the fish taken there, and those caught in the salt water in the latter part of August, touching on September; those caught in the pool then are brown in colour and quite soft, and are more advanced in pea and milt than the sea fish at the same time. For the earliest fish he took he never got more than one half-penny a pound more than for the August fish.
Kenmare Fishery.	
Fishing place.	
Rent.	
Decrease.	
Former abundance.	
Prices.	
Time of fishing.	
September fish.	
Season.	
Advantage of protection.	
Extension of season not beneficial.	
August fish.	
September fish.	Mr. Keays said his price in Killorglin was 3½d. in June and July, and 3d. in August.
Decrease.	Witness to Mr. Godfrey.—Catches the greatest quantity of fish in August. If the fish going up in the latter end of August were preserved, the river would be made an early one.
Rent and tenure.	Mr. Godfrey said that the Blackwater river had been strictly preserved; and yet they never had an early run of fish there. It was, therefore, naturally a late river; for they did not fish it these four years after the 12th August, and still there were no Spring fish in it.
Value of fishery.	William Godfrey, esq., sworn.—At the latter end of September the fish in the upper part of the river are getting dark, and the pea is becoming large; it is not much developed at the beginning of September. Last year was the worst season he had known in the Blackwater. The fishery has been gradually decreasing of late years; and this he attributes to the fishing outside the river. Holds the Blackwater fishery, and fishes near the defined mouth of the river, and occasionally outside. Has rented the fishery these twelve or fourteen years; is a tenant-at-will, and pays £70 per annum. The value of the fish taken in 1843 was somewhat under £70, and the produce of 1844 was £45. There was very good value for the rent, and a fair profit, in former years; the decrease is caused by the fishing carried on by the boats outside in the estuary. Pays for the protection of the river; it has always been well protected. The fishery has rather fallen off since the definition of the mouth of the river, but this season was universally bad. There is a lake near the source of the Blackwater, about eight miles above the bridge, but the Salmon never get into it. Efforts have been made to remove the obstructions, but without success. White Trout go into the lake in great quantities, but he never saw a Salmon in it. Heard that Salmon were brought up and put into the lake, but he supposes they died there. There is a long sloping rock and a considerable fall, beyond which the Salmon never went. There was a tradition in the country about the lake's having been cursed.
Protection.	
Lakes.	

Mr. MULVANY inquired if there were any other persons who wished to be examined; and the parties present said, that all the necessary evidence had been already furnished. He then, in consequence of the opinion expressed by Mr. Butler, that Peal and Salmon were a different species, entered into an explanation of the experiments of Shaw, and the conclusions at which Yarrell and other naturalists had arrived; and the Kenmare investigation terminated.

APPENDIX, No. II.

The Curraan.

No. 1.—Extract from Mr. BUTLER's Application to the Board for an alteration in the Close Season of the Curraan; dated September 21, 1844.

"The river Curraan is about 300 yards long, flows out of a large lake, and the tide *does not* flow any way into it. It is one of the few several fisheries in Ireland, (the waters, from where they rise in the mountains, to where they flow into the sea, being granted by patent,) to which I have the sole right."

JAMES BUTLER.

No. 2.—Extract from a Letter of Mr. EUGENE O'SULLIVAN to the Commissioners of Fisheries, dated 23d December, denying the existence of the exclusive right of fishery in the Curraan, the lake, and the tributaries claimed by Mr. Butler.

"I, upon the part of Edward Bouchier Hartopp, of Dalby House, in the county of Leicester, Esq. do hereby protest against Mr. Butler's evidence; and I utterly and totally deny his having any such exclusive right to those fisheries; and I have to request you will be pleased to note this my protest against, and objection to, Mr. Butler's evidence. This request I make upon the part and on behalf of Mr. Hartopp, as I have no notion of allowing his rights to be invaded by any man."

EUGENE O'SULLIVAN.

No. 3.—Extract from a Letter of MAURICE O'CONNELL, Esq. to the Commissioners of Fisheries, dated December 8, 1844, upon the above subject.

"As it may sensibly affect my father's and my interest, we acknowledge no exclusive right in Mr. Butler to the fishery on the lake and its feeders. My father has the fee of some farms on its shore, and along its feeders; others he holds from the proprietors; and I, at least as his representative, am not inclined to acknowledge any rights which may devolve on him or me as landlord or tenant of the lands bordering the lake, &c. As a matter of courtesy, or through private friendship, we may not exercise those rights to Mr. Butler's prejudice, but we cannot permit them to lapse from non-assertion."

MAURICE O'CONNELL.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at BANTRY, COUNTY CORK, TUESDAY, NOVEMBER 19, 1844.

SUBJECT OF INQUIRY.—THE RIVERS BALLYLICKY, SNAVE, AND GLENGARIFF, AND ALL OTHER SALMON RIVERS TERMINATING IN THE BAYS OF BANTRY AND DUNMANUS, OR IN THAT PART OF THE BAY OF KENMARE WHICH BOUNDS THE COUNTY CORK.

THE SNAVE.

Mr. Hutchins, Secretary to the Fishery Preservation Society, stated his conviction to be that the Open Season best suited to the river, estuary, and tributaries, was from the 1st of April to the 1st of October; and for the furtherance of this view of the subject, requested that Mr. Samuel Daly should be examined.

The Snave.

Suitable season.

Samuel Daly, sworn.—Lives at Drumkeel, near the mouth of the Snave, and is a fisherman and a farmer. Keeps nets, and fishes in the tideway of the Snave. Holds the fishery with the farm; has a lease of the farm, but the privilege of fishing is not mentioned in it; fishes therefore as one of the public by common law right; and other persons living on farms in the neighbourhood fish in the tideway also. Wishes for an alteration of the season, because he considers the Close Season established by the late Act rather early. Caught from £20 to £30 worth of fish this last year; the neighbours, who fish there, catch about the same quantity as he; these are Ryan and Warner. There are three seines at the mouth of the river; but he cannot tell the quantity of fish caught in them; thinks the three seines caught £50 worth of fish in the year; he does not keep any account of the quantity taken by himself. There are two other rivers in this bay, the Ballylicky and Donemark; there are three seines in the Ballylicky, and they catch, on an average, about as much as those in the Snave; there is but one seine in the Donemark, which is only used occasionally, and is scarcely worth keeping. Believes that the Earl of Bantry does not give permission to fish at the mouth of the Glengariff. Begins to fish for Spring Trout in the latter end of May, but generally does not fish for Salmon until the latter end, about the 20th of June. In some seasons the fish come in earlier than in others. The Salmon which they catch are generally from three to ten pounds weight; seldom catches one heavier than that; and their tails are forked. The great run of fish is from July up to the end of August; even before the present Act they hardly ever fished after the latter

Produce.

Number of seines.

Time of fishing.

Run of fish.

APPENDIX, No. II.

The Snaive.

Market.

Spawning.

Prices.

The River Ouvane.

Suitable season.

State of the fish in
August and September.

Spawning.

The Snaive.

Time of fishing.

Spents.

Months compared.

The Adrigool River.

Poisoning.

The Ballylicky.
The Donemark.

Spears.

Angling regulation.

end of August. Caught fish this year up to the stopping-day, the 20th August. Ninety-seven was the greatest number he ever caught in one haul, and that was some years ago. Used to stop fishing on the 20th August, because the Salmon then began to get red, and were not saleable. The fish have good sized peas in them at that time; the peas are larger then than in June and July. Sells his fish in Bantry and the neighbouring places; and, when he catches a quantity, he sends it to Cork by horse and cart; does not pack it in ice; and sells it to the picklers; the fish reaches Cork in eighteen or twenty hours after being caught. Has sent fish to Cork in this way, and knew it to be afterwards packed in ice and exported. Knows the Snaive up towards the mountain; it is a rapid river, and has in it several gravel beds and deep pools; there is one very good one high up in the river; the fish are poisoned there and then hauled out by nets with stones attached to them. Took black spent fish in his net during the fishing time this year. November and December are the general months for spawning; the fish probably spawn in January. There are water-bailiffs on the river. The other persons ceased fishing about the same time with him, as they did not consider themselves paid for their time by fishing longer. There are no Salmon caught in May; gets 4d. per pound for June Salmon; the highest price he gets in Cork is 3½d. or 4d. per pound; it is sold in Bantry sometimes for 2d., 2½d., and 3d., according to the supply in the market. Fishes round the coast for Herrings and Mackarel; fishes to the west of Whiddy Island, and sometimes takes an odd Salmon there. The spawning time in the Ouvane is about the same as in the Snaive. The spent fish come down in January, February, and March; the Fry in April and the early part of May. Thinks that from the 1st May to the 1st October would be the best Open Season, because several gentlemen would then be able to angle who cannot do so now; wishes for this season because it would benefit the anglers. The breeding fish do not commence to run up in any numbers until September. Scarcely ever fished after the 1st September; and it would not be worth while to continue after that: more breeding fish go up in September than in August, and they have then more pea than in the month of August.

Patrick Sweeney, sworn.—Lives at Glengariff with Mr. White; is an angler, and employed by gentlemen in that capacity. Fishes on all the rivers and lakes about this quarter. Saw black Salmon yesterday in the Glengariff River; is sure there are 3,000 black fish in that river this moment. There are no Salmon spawning yet; there are no fish but Trout on the spawning beds; and he would be surprised to hear that the Salmon had already made their beds in many other rivers in that part of the country. They first make the spawning beds in the Snaive about the 10th November; and they continue spawning up to the middle of December; never saw them on the beds after Christmas; the latest time he observed them on the beds was the 17th December. Never heard of their spawning in January and February. A few fish spawn in the Donemark, and they spawn there about the same time as in the Snaive and Ouvane. Has seen Salmon above the falls of Donemark; saw them leap up the falls; saw fifteen in one hole in or about August or September. Begins to fish for Trout on the 14th February, but never for Salmon until May; it is a great rarity to catch one in May. The 14th February last, caught two spent fish in the Ballylicky, half a mile from the sea; killed six the week after, and has killed nine spent fish in a day. The spents run down from the 1st April till the latter end of May. August, September, and October, are the best months for angling in these rivers; it would not be worth while to fish them at any other time. He catches the greatest quantity in September and October; they are then red, but are not so in August. Killed spring fish, fresh from the sea, on the 31st December at the old Cromola Bridge; they had the sea lice upon them: fish caught in September have good large peas. Never caught Salmon in February. It is but a chance to get a white fish in any of these rivers in September. The last time he fished the Adrigool, near Berehaven, was in May and June, and he killed both Trout and Salmon there in good condition. Fished there in September, and the Salmon were then all red and full of pea; fished another stream called the "Salmon Leap," near Castletown Berehaven, but caught nothing there except Spring Trout; he fished the Durrus also, but never caught a Salmon in it. There is but an odd white salmon in these rivers in March; killed a white Salmon once on Patrick's Day in the Donemark below the falls. Does not know if there be mill dams in these rivers. Does not sell his fish; and consequently cannot tell the value of each year's angling. Heard that the river was poisoned this year, and that it was done for the sake of obtaining the fish; he speaks only of the Cromola River. There is one pool in this river full of rocks and crevices, which it is impossible to haul with a net; all the fish collect there, and are poisoned by the people. The Ballylicky would be the best spawning river if preserved. If the Donemark were opened up, and a passage made for the fish, it would be a very good river also; there are a great many deep holes in it. Spears and nets are used every day in the river, although water-bailiffs are paid for protecting it; is of opinion that they would never do their duty unless they were sworn; and wished to know from Mr. Mulvany why they could not be sworn.

MR. MULVANY said he was very glad that they could not swear them; such a practice was an immoral one, and led to very unhappy results. If a man would not do his duty without being sworn, he was undeserving of having any duty entrusted to him.

Witness, in continuation.—Told Mr. Murphy, that if he opened up the Donemark, and erected fishing weirs, he would make £150 a year. Any person who paid ten shillings a year for the protection of the river could fish without hinderance on all the rivers under the control of the Fishery Preservation Society.

MR. MULVANY expressed his satisfaction at this arrangement, as evincing a better feeling

than operated in other places, and, in reply to an observation of the witness Sweeny, said he was glad that the time had gone by when policemen could *go into houses* to search for, and seize nets and spears. In the present state of the law no one was punished unless an offence were actually committed; and it was no offence to have a net in a house, for the owner might be a maker of nets, or have the implement for fishing where it was competent for him to do so.

Mr. Thomas Eccles, sworn.—Has been in the habit of fishing, but does not fish any at present. The fish spawn in November and December; but he cannot tell whether they do so in January or not. It is probable that the fish which go up late do not spawn so soon as those which go up early. The greatest run of fish is in July and August; and at that time the greatest quantity is caught in the river, sea, and tideway. Fish caught in the sea in September, are pretty good; but in that month, the first run of fish *in the river* are turning black, and are then advanced in pea. In October, the fish are far advanced in pea and milt, and spawn in two or three months after going up; a few breeding fish may go up in November. There are no lakes on the rivers in this locality, with the exception of those on the Adrigoolle and Glengariff. The fish run up at the same time, in the Donemark, the Ouvane, the Adrigoolle, and Glengariff. Some fish get up the falls of Donemark, but the number is very few; they ascend this river to a distance of about three miles until they meet another great fall at Inchielough, which is thirty feet in height. The Donemark is rather a rapid river, and would become a tolerably good spawning place, if an upward passage were made for the fish; it would be well worth while, and not at all difficult to make such a passage. The best Open Season for these rivers would be from the 1st March to the 1st October. There never was any season observed here before the late Act came into operation; heretofore they fished as early and as late as they pleased; and during the month of September those who fished, used to kill as much fish as they could. Some odd fish go up in September, and they are then red; of course, if all were allowed to fish in September, as much Salmon as possible would be killed in that month, but some would escape. If the Close Season which he proposes were strictly observed, the river would be afterwards sufficiently stocked for the future produce. The fish which go up first, spawn first, and the early fish are the most valuable.

If he had the whole river as his own property, and looking on the fisheries as a matter of commercial importance, he would have the Close Season commence a month earlier than October. Is under the impression that the witness Daly understated the value of the fisheries in these rivers. Thinks the extension of the latter part of the fishing season would benefit the seine fisheries; and there never would be a fish in the market if the supply depended upon the anglers alone. The fish run up these rivers but a short distance, because the water is so clear; and the seine fishers are, therefore, the persons whose interests are to be considered. Thinks that the Open Season should, at all events, extend to the latter end of August, as a considerable quantity of good, wholesome fish would be taken between the 20th August and the 1st September. Is of opinion that the mesh required by the Act 5th and 6th Vic. c. 106, is unsuited to the Bay of Bantry; for the general run of the fish in this neighbourhood are very small, and escape through it; the largest fish he has seen there was not more than ten or twelve pounds weight, while a great number of their Salmon weigh only three or four pounds, and these escape through an inch mesh. White Trout, a great number of which run up these rivers, pass through it also. There are three sorts of fish in these rivers: Spring Trout, white Trout, and Salmon. The spent fish used to be destroyed to a very great extent, but this is not the case latterly. He thinks it would be beneficial to have the mouths of these rivers defined; they run rapidly, and meet the salt waters suddenly; and in this respect they differ from other rivers. The Act requires the seine fishers to be a certain distance from the mouth of a river, but these mouths have never been defined; no injury has, however, resulted from this as yet; but the law might at some future time be enforced, and the seine fishers are therefore in a state of uncertainty as to the limits within which they may be allowed to fish.

Mr. MULVANY observed, that in case any dispute arose, the mouth would be defined, if an application were made to the Commissioners to that effect. The question of definition was very intricate, and each case should be determined upon its individual merits.

Witness, in continuation.—Would wish to have a mesh of such a size as would let all the Fry and very small fish pass through; he would sanction only a medium mesh; for, if a very small one were used, the size of the fish would be affected; but, in consequence of the present size of the mesh, the Trout escape, and destroy the Salmon Fry in the upper parts of the river.

Mr. John Brian Corkery, sworn.—Does not fish the Snave at present, as he has let his fishery, which is opposite to that of Daly's. Is lessor of the farm and fishery, and used to get about £30 a year out of the latter, when he fished it himself. He heard that the fishery returned more than that sum last year. The river was preserved when he fished it himself. Used to begin fishing on the 1st June, and always ended on the 1st September. The fish were very good until the latter end of August. Kept at one time a purse net at the mouth of the river. The general run of fish was from the latter end of August to the beginning of October. Caught very few in June and July; they were very good in September, and had larger peas than in August. Very few ran in the latter end of October. Black fish come down the Snave in January and February, and great numbers are destroyed in the upper parts by poisoning and spearing. The weight of the general run of fish is from four pounds to seven pounds; he seldom caught one of ten pounds. Has

APPENDIX, No. II.

The Snave.

Spawning.

Best months.

The Donemark River.

Suitable season.

Close Season before the late Act.

Season desired.

Mesh.

Trout.

Definition of the mouths of rivers.

Mesh.

The Snave.

Produce.

Time of fishing.

Best months.

APPENDIX, No. II.

*The Snaive.*Season.
Mesh.

never taken a Salmon in December or January; and never set his purse net until June. The Ballylickey is a better spawning river than the Snaive. Is of opinion that the latter end of August would be the best time to close the season; and is also convinced that the alteration of the mesh to eight inches all round, would be attended with very beneficial results. Such an arrangement would be of advantage to all persons interested in the fisheries.

Mesh.

Mr. Richard T. Evanson wished the Inspectors of Fisheries to understand, that he also was desirous of having the size of the mesh diminished; he had been in the habit of catching large quantities of white Trout in the Durrus—indeed as much as supplied ten different houses; but now the mesh was so large that the Trout passed through and escaped. The Trout used to run in March, April, and May, but now they do not do so till June. A net, fit for the capture of Trout, might be used in May, June, July, and August, without injury to the Salmon fishery. It is utterly impossible to catch Trout with the present Salmon mesh; he, himself, was summoned by a coast guard officer, because of the size of his mesh, and this occurred in the Open Season. The practice of poaching by night prevails to a great extent in these rivers.

The River Durrus.

Spawning.

Spents.

Trout.

Season desired.

Mr. R. T. Evanson, sworn.—There are very few Salmon in the Durrus; it is a mere breeding river. The fish run there from July to October; a great quantity are in a breeding state in the latter month. There is a good seine fishery in the tideway of this river. There are good spawning grounds in the Durrus, and the principal spawning months are November, December, and January; more fish spawn in November and December than at any other time; he has never seen fish spawning in February. The spents go down soon after spawning. He never knew them to be in the river after March, but they have been destroyed in great quantities. Has a white Trout fishery, but the meshes of the net are too large to catch Trout. The Trout vary from half a pound to four pounds weight. The best are those caught in March and April, but those taken in June are remarkable for want of size; they spawn much about the same time as the Salmon. Has seen the spents going down in February and March. Thinks the Open Season for these rivers ought to be extended one month; but regarding the fishery in a commercial point of view, and considering that there must be the same season for the sea, river, and estuary, he would leave the Close Season as it is. Ten days, however, would be a great advantage to them on the whole, and not injurious to the breeding fish. He is aware that kelts become good sound fish in two months after spawning, and would not be surprized if they attempted to return to the same river as that in which they had spawned. Has not known an instance of an effort having been made to catch Spring fish in February and March.

The evidence terminated with the testimony of this witness, and

Season.

Mr. Hutchins said, he felt himself bound to state that he came to the meeting under a strong conviction that an alteration in the Close Season would be beneficial to the fisheries; but the evidence of that day, and the forcible arguments of the gentlemen who presided at the inquiry, effected a complete change in his opinion. He had now no hesitation in declaring that the interests of the fisheries would be best promoted by allowing the law regarding the Close Time to remain as it was.

Mr. MULVANY observed, that a circumstance of a similar nature took place at Killorglin, in the case of Messrs. Herbert and O'Connell, who withdrew their names from a memorial which they had signed, praying for an alteration of the Close Season in the River Carra.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at SKIBBEREEN, COUNTY CORK, WEDNESDAY, NOVEMBER 20, 1844.

SUBJECT OF INQUIRY.—THE RIVERS ILEN, ROWRY, ANNAHINCHY, AND THEIR TRIBUTARIES,
AND ALL RIVERS TERMINATING ON THE COAST BETWEEN MIZEN HEAD AND GALLEY
HEAD, TOGETHER WITH THE ADJACENT COAST.

THE ILEN.

*The Ilen.*Place and mode of
fishing.

Time of fishing.

Observance of law.

Mr. Robert Evans, sworn.—Lives at Ardrala, opposite Innisbeg island. Uses a fishing-craft for the capture of Salmon and Herrings, and fishes from the mouth of the river at Sandy Island up to Newcourt in the tideway. Fishes with a seine hauled on shore; and tries it in every part of the tideway, except in a few places where a net cannot be hauled. Hauls his net an hour and a half or two hours before and after high water; but there are two places on the river in which some persons shoot their nets at high water. The length of his net is from seventy-five to eighty fathoms; the breadth of the channel at low water is about 100 fathoms, and the narrowest part of it is about half that. He always commences to fish on the 10th July. Has known the River Ilen for forty-five or fifty years, but never caught fish with a seine before that time. He also had a stake net opposite his house, and never at any time caught a fish in it before the 2nd July. The weir just alluded to, was up for eighteen years; it is now twenty years since he erected it; and it was taken down about two years ago. He never fished round Turk Island, nor has he heard that Salmon were seen there in May. He never saw a Salmon at Shirken Island before the month of June. Before the late Act he used to cease fishing before the 1st November, and the constant practice of all was, to fish up to that time. Fishing ceased *outwardly*, last year, on the 20th August, but the Salmon were covertly taken after that time. Fishing *actually*

ceased about the latter end of September. Catches Salmon in July, of five, eight, and twelve pounds weight. He never remarked the tails of the fish, and therefore cannot tell whether they were forked or not; but not one in forty of those which he catches, would be fifteen pounds weight. Never fished for white Trout in the estuary. When the fishermen go to the hauling place they generally wait till there is a leap, before they shoot their net. Has caught fish with largely developed pea, but not earlier than October; and the fish caught from July till September have pea so small that it might be considered as nothing. He sells his fish to gentlemen in the neighbourhood, and opens none of them except those which are used for his own family. He has caught spent fish in December, when looking for Herrings. Their appearance was ugly, and calculated only to excite one's disgust. Fry go down to the sea from the middle of April to the middle of May; never saw them going down so early as March, although he has peculiar facilities to observe them, as he lives near the river, and can see with a glass any small fish that are going down. Pays no rent for the fishery; it is free to every body, and others fish in the same place with him. The first man that lands has a right to the haul against the tide, while the next may take his place, or haul from the stern of his boat *with* the tide. They sometimes shoot their nets without seeing the fish. Sold his fish this year for 2½d. and 3d. per pound, and got 4d. at the beginning of the season. The whole produce of his net and boat this year was not quite £12; he got £5 as his share. If early fish could be caught in such a quantity as that it might be sent to Cork, he certainly would get more than 4d. per pound for his fish. Last year six seines fished on the same ground with him, that is from Newcourt to Lady Island; and none of the other seines made, on an average, more than his; the whole fishery did not, he is convinced, bring in £70. There are other net fisheries beside that in his locality, on the river higher up. He never saw a bag net used on this coast. There is no fish except Mullet taken east of Reenaroge. The deep channel is to the northwards; it is ten or eleven fathoms in depth, and affords a good passage for vessels with a pilot. A few odd Salmon are taken in Ballydehob Bay. The Close Season in the River Ilan should commence on the 1st or 10th of October; if the beginning of October be wet, very few fish will go up afterwards. Is of opinion that it would benefit the fisheries to have a smaller mesh than that at present allowed. He used to fish with a smaller mesh, and never caught more than one Salmon of so small a weight as three pounds. When they can only fish two hours before, and two hours after low water, plenty of fish would go up to the anglers above; he himself saw the fish go up in that resting time.

Here the Witness read the following paper, as expressive of his opinions on the subject under investigation:—

"The Close Season in the Ilan should commence between the 1st and 10th October. If before the 1st, the run of Salmon up will be too great, and it may offer an inducement to persons up the river to run the risk of being fined (as last year). If later than the 10th, there will be a danger that most of the fish that went up will be killed. If the beginning of October is wet, there will be very few fish going up after.

"It will make no difference with regard to injuring the Salmon fishery, what size between nine inches and five inches in the round the mesh may be.

"As to length of seine below Newcourt, there would be little use to go to fish for Salmon or Herrings with a net, shorter than from seventy-five to eighty fathoms. The rule mentioned by the Lee Association could never be conclusive, because, while part of the river at high water, neap tides, is perhaps not more than eighty fathoms; there are other parts more than 200 fathoms wide.

"The late Act, in all other matters concerning Salmon fishing in Ilan, is very good if carried into effect.

"If the Close Season was altered to 1st or 10th October, and the mesh to nine inches or under, I believe there are no owners of seines down the river that would not do all in their power to protect the fish after that time.

"If water-bailiffs, or others, appointed for the preservation of Salmon, are not sworn to act impartially, I fear they could hardly be depended on."

Witness, in continuation.—Believes that the fish which go up first, spawn first; and he heard that the fish were on the spawning beds in January and February. The Fry come down from the middle of April to the middle of May. He himself took a spent fish at the latter end of December, and believes the general opinion to be that the spent fish go down in February and March. About forty years ago he heard his uncle say that 500 Salmon were taken in this river in one day; but since the mill was built, and the fishing in the mill race took place, the fishery has dwindled away. Never made more by the weir alluded to than £20 or £25 a year, on an average, and he had the entire fishery. The year 1843 was the best Salmon year he recollects since the mill was built. The mill dams were then broken down, and there was the greatest run of fish after the 1st September. This has been one of the worst years he ever saw; and he attributes the decline in the fishery to the great destruction of the spawning fish, which were actually killed in hundreds. He calls all the fish Salmon which are over four pounds weight. Is desirous of having the season extend to the 1st of October; and if he had the whole right of fishery in the river and estuary, he would permit the pools in the upper part of the river to be fished till that time, because he believes it would be beneficial to the fishery to do so. The river is sometimes so low that there is not water in it sufficient to turn a mill: this was the case all this Summer, from June to September, and the fish could not ascend the river. Heard that a great many Salmon were taken in a hole, in a part of the river out of which they could not get, in consequence of a deficiency of water.

Charles M. Carthy, sworn.—Lives at Bishopsland, five miles up the river Ilan, near the church; is a farmer, and has frequently fished with nets off his own land. The water is

Fry.

Rent.

Mode of fishing.

Prices.

Produce.

Number of Seines.

Suitable Season.

Mesh.

Season.

Mesh.

Length of net.

Spawning.

Migration.

Comparative produce.

Season desired.

APPENDIX, No. II.	deep at the place he lives. Often observed the spawning. It commences early in December, and the great bulk of the fish are on the beds in December. Saw fish come up to spawn in January, and making pits in the shallows. They begin first in the upper part of the river; and all spawning is over in January. The latest time he ever saw the fish spawning was up to February. The spent fish return to the sea when they get the first floods; that is, in February and March; and a great number of them are killed in the upper parts during the winter; in fact, everybody has been doing all that could be done to catch and destroy them. There are some deep holes in the river, in which the fish could not be caught by lights and spears; but they have been caught in those places by means of nets. Very few fish are taken in August. The mill weir prevents the fish from going up, until the floods come to carry them over it. The mill sluice is always closed on Sunday. The greatest run of fish is in September and October; and the fish caught in the former month are of a white colour, and very bright. There are very few red fish taken at that time. Sells some of the fish, and uses another portion in his own house.
<i>The Ilen.</i>	
Spawning.	
Spents.	
Obstructions.	
Increase of pea.	The pea of the fish is very small in September, and does not become large till October. A great many fish ascend the river after the 1st of October. It would not be at all difficult to protect the breeding fish in the upper parts of the river; but there are not many holes where they would be naturally protected, without the protection of the people living along the banks. Caught some good and some bad fish in November and December, and used those taken at that time in his own house. Three years ago, when the floods occurred in June, there was a greater abundance of fish in the river than at any other previous time that he recollects. He never saw a bad fish in June. There is a restriction to angling generally by persons holding land along the river. He pays nothing for his fishery. Has a lease of the land, but there is nothing mentioned in it about the fishery, or the mode of fishing.
Angling.	
Best months.	<i>John Horan</i> , sworn.—Witness follows angling as a trade. Is what is called a sportsman, and has frequently killed black Salmon. The best angling ground in the Ilen is three or four miles from Skibbereen. There is no sudden fall about that place, and there are a few deep holes there. August, September, and October are the three best months for the run of fish. The fish begin to spawn in the latter end of November. Very few spawn in January. White fish are, of course, the best; they begin to assume a copper colour at the latter end of September, and to show pea in September, but it is then very small. He has boiled the Salmon, and found very few of them with curd. The fish here are the worst in the country; and the river is the latest that he is acquainted with. The fish do not run up before July. The Fry begin to descend in the latter end of March, and have all gone in April. There are very few of them in the river in May. There is not much water in the river in June and July. The general weight of the fish is from five to ten or twelve pounds. One of fifteen pounds is very rarely met with. Some of the fish caught in the latter end of September are as lively as those caught in August; but others are not so. He would as soon play a Salmon of seven as of fifteen pounds, because it gives more sport. Although floods may occur in March and April, no Salmon make their appearance so soon, nor even up to May. Might kill about 100 Salmon in the year; but he would have to sell three parts of them for 2d. per pound. Lights are used to take the fish at night in this river. The spents go down in February. Fish caught in August have very little pea or milt; it is larger in September, and larger still in October. The fish are now going up the small rivers to spawn, and it is ten to one if they will ever come down. One haul with a net in the salt water would take as much as all the anglers in the river put together.
Spawning.	
Migration.	
Lights.	
August and September fish.	
Spawning.	<i>John French, Esq.</i> , sworn.—Is an angler. Knows the Ilen well, but is better acquainted with other rivers. Has angled the Ilen from its source to Hollybrook bridge. It is a good spawning river. There are in it a great many deep holes, in which the fish could be preserved with ordinary care in spawning time. The water in the river is very low in June and July; and fish would not be likely to go up where there is a deficiency of water. Angled as far up as Cohara. He never hooked a Salmon above the Tooreen so early as August, but he did so in September. The fish are then in good condition, of a bright colour, and in pea; but in the early part of September they are of as bright a colour as in August. He generally caught good fish in October, and even in November. They were then good, red, firm fish, and were large in pea and milt. The fish caught in October and November are spawning fish. He never caught a Spring fish in this locality. The fish in August and September give the best sport, because they are then more lively than those which come after. The fish of this river are not curdy; so much so, that he never recollects to have caught one in it. Spawning commences the latter end of November, and continues for a part of January. The great bulk spawn in December. In the Rowry the chief spawning season is from the 1st to the 20th of December. Fry in these rivers go down from the last week in March to the last week in April. He has seen an odd Fry early in March. There is a lake at the head of the Rowry, but it is almost impossible for fish to get into it. There is a great fall there of about thirty feet. It is not perpendicular, but it is impassable to the fish. There is a great difference between the habits of the fish in the Rowry, and of those in the Ilen. In the former river the fish do not run till the 1st of October. He caught good fish there in the entire of that month, and in November. There is a Salmon fishery at the mouth of the Rowry, but there is no bag net used in the sea off the mouth of that river. In the Annahinchy the fish do not go up till the middle of October, and but very few at the beginning of that month. If the Close Season were to commence in September or October, the anglers would not think it worth their while
Migration.	
The River Rowry.	
The Annahinchy River.	
Angling.	

to preserve the rivers. Does not think that an association for the preservation of the fishery would be got up except in reference to angling.

Richard H. H. Becher, Esq., sworn.—Is acquainted with the Ilan, and formed a protective association since the Act passed. The river had been preserved before, since 1819; and fishing was always discontinued after the 1st November since that time. He kills twenty Salmon a week, on an average. The least of them is five pounds, and the average weight seven pounds. Of the Salmon caught in September, some are in a spawning state, and some not. Fry run from the 1st April to the latter end of May. The river was watched last year. Thinks the quantity of fish has increased during the last five or six years, and attributes that increase to the protection which has been extended. Is of opinion that Trout destroy the Salmon Fry. Trout run up from March to July, and they cease running when the Salmon begin to ascend. Would wish for a net of a smaller mesh for taking Trout in the river and estuaries; and, as the Trout is not the Salmon season, no inconvenience would arise if a smaller sized mesh were permitted.

APPENDIX, No. II.

*The Ilan.*The Ilan.
Protection.

Produce.

Trout.

Mesh.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at BANDON, COUNTY CORK, on FRIDAY, NOVEMBER 22, 1844.

SUBJECT OF INQUIRY.—THE RIVERS BANDON, ARRIGADEEN, AND THEIR TRIBUTARIES, AND ALL OTHER SALMON RIVERS TERMINATING ON THE COAST BETWEEN THE GALLY HEAD AND BARRY'S HEAD, TOGETHER WITH THE FISHERIES OF THE ENTIRE COAST OF THE COUNTY CORK BETWEEN THESE POINTS.

THE BANDON RIVER.

Thomas Palmer, sworn.—Is a fisherman and lives at Shippool; fishes at Shippool, and from that down the river with boats and a seine. He shoots his net near low water, a little before the last of ebb, and after the first of flood; fishes at night; draws his net sometimes with and sometimes against the current; and in fishing does not wait till he sees the fish jump before he shoots his net. Used to fish a Scotch flood weir at Shippool; and usually put on the netting in May, and sometimes about the 1st April. Before the late Act he generally began to fish with draught nets in April; and never fished so early as February till last year. He fished last March, but the Salmon killed at that time were not worth one half penny per pound. He caught but one unspawned fish in February. Used to begin fishing on the 1st March, in the old time. About twenty years ago he caught an unspawned fish in March; and never, during his life, killed in that month, but two fish that had not spawned; the peas of these were large; has heard of others killing them, not, however, in any numbers. He might take an odd Spring fish in March; but would catch in that month a great many spent fish returning to the sea. The early part of April is a good time for fishing; he takes good fish in that month of from six to eight pounds weight, and catches spents also along with them, but not in great quantities. Is aware that if the spents were allowed to go down to the sea they would come back good fish in May and June; and if he owned the entire fishery he would allow them to get down, for he would be certain of catching them when returning. Catches the greatest quantity of good fish in June and July; it is in these months that the Peal run; some few, however, come up in the latter end of May. Heavy fish run every month, but the heaviest are in September; they have then but the smallest sign of pea. He has been fishing the river upwards of forty years; and never caught a fish large in pea in that month; the pea is then about the size of his finger. The fish first begin to show an increase of pea in November; he, at all events, never noticed an increase before that time. Catches heavy Salmon in October, and has opened them for the purpose of salting; they are then in good condition. The fish in April bring 8*d.*, 9*d.*, and 10*d.* per pound; but in September only 4*d.* The greatest number of heavy fish go up to spawn in the latter end of October; the spent fish come down in March, and sometimes before that time; and they cease running down about the 20th April. He never caught a black fish in May. The fish spawn about the 1st November, and all through that month. He saw them on the spawning beds in the Bandon river in the middle of November; but never saw them making pits in January or February. In two tides last year, and that, too, at the end of October, he caught a great quantity of fish all of a bright silvery colour: the red Salmon are as good as the bright, when they come in from the sea, only that they have the sea lice on them. All the breeding fish were destroyed by nets, up the river, last year; and this made the fishing very bad. There was no run of Peal this year at all, at Shippool; nor were they caught between him and the sea. He does not kill as much fish now, as when he fished the stake nets; he certainly killed more last year (1843), than when the stake nets were up, but that was not the case this year. The fish run up a-head with the fresh water; and, therefore, he catches most when there is a little fresh in the river. Witness is of opinion that the fishery is decreasing within the last twenty years; and he thinks the best Open Season for the fishery would be from the 1st April to the 1st November.

The Bandon.

Mode of fishing.

Former fishing time.

Best months.

October fish.

Migration.

Spawning.

Destruction.

Suitable season.

John Miller, sworn.—Has been a fisherman these thirty-five years; and fishes where the tide ebbs and flows from Innoshannon to Kinsale. He fishes for himself; and every one can fish on the same ground with him; fishes with draft nets only. Formerly began to fish on the 1st March, and ended the 1st November; and this was the regular habit up to

Former fishing time.

APPENDIX, No. II.
The Bandon.

Produce.
Best months.

August fish.

Sprat nets.

Suitable season.

the year 1843; no person fished after the 20th August this year, except for Sprats and Herrings. The Sprat and Herring fishery begins on the 1st August; and the Herrings come up as far as Kilboggan. He has one Salmon seine, and sells the produce of his fishery, but has not kept any account of the quantity he caught. Thirty Salmon was the most he ever caught in a haul. He pays no rent for his fishery. Some years he makes about £30 by his fishing, but the produce is very variable; he has generally more profit by Sprats and Herrings than by the Salmon fishery. The best months for Salmon fishing are June and July; the fish run in these months in the greatest quantities; but he gets the best price in March and April; 1s. or 14d. per pound is usually paid at that time. He never caught a fish heavy in pea in March or April; caught very few black or spent fish in March. The Peal begin to increase in pea and milt about September; used to take good fish sometimes in October. The harvest run of Salmon show signs of pea in August, and it increases from that time out. He has caught red fish coming up from the sea heavy in pea in October, and has killed great quantities of them in that month, but he never fished after the 1st November. If one hundred sprat nets were shot in the river, they would not take one Salmon; he has seen several boats fishing for Sprats and Herrings, and they very seldom took a Salmon, for the nets are shot with too long a sweep, and besides, the Salmon run up when the floods are high; a time at which they cannot go out to fish for Sprats. He would have the fishing season commence on the 1st April, and the 1st November; in fact he would fish on as he could get a fish. Admits that it would not be right to continue until the fish are ready to spawn. It would answer the fresh water people to begin the 1st March. It is true that many Spring fish pass up in February; but he would give up February, because it is useless to go out so early. Sometimes the water is low in February. He has caught the fish in the greatest quantities when they were most destroyed; when there is too great a number in pea and milt allowed to ascend the river, they do not come to any perfection.

Mr. Johnstone Mackintosh, sworn.—Witness acts under Mr. Matthews, who is agent to Mr. Fruen. Mr. Fruen has a fishery at Innoshannon, of which witness has the management. They never fished farther than Innoshannon, and only with a draught net. He has a memorandum of the quantity of fish taken the first three months of each year, from 1839 to 1843. The following is correct—

Produce.

1839.				1840.			
Spent Salmon.		Spring Salmon.		Spent Salmon.		Spring Salmon.	
March,	32 lbs.	— lbs.		March,	113½ lbs.	150½ lbs.	
April,	16 "	33 "		April,	56½ "	208½ "	
May,	6 "	150½ "		May,	8 "	187 "	
54 lbs.		183½ lbs.		178 lbs.		546 lbs.	

1841.			1842.			1843.		
Months.	Spents.	Spring fish.	Months.	Spents.	Spring fish.	Months.	Spents.	Spring fish.
March,	215 lbs.	23 lbs.	March,	33½ lbs.	— lbs.	March,	18 lbs.	28 lbs.
April,	33 "	6½ "	April,	29 "	42 "	April,	—	90½ "
May,	—	20 "	May,	—	74 "	May,	—	85 "
		49½ lbs.			116 lbs.			203½ lbs.

Mr. Fruen's fishery, from which this return is made, is not in the tideway, but the fresh water. In some of the months mentioned, the fishermen fished fifteen days in succession without taking any fish; and the fishery this year did not pay the expenses of boats and nets. In other years the gross produce of the fishery was £22. The men got half that sum, and Mr. Fruen the other half. Is of opinion that the 1st March is too early to commence fishing, but does not know if it would be too early at Kinsale. Sells the fish in Cork, whither he sends it without either having salted or iced it. In August the pea is gradually increased in size, and in September it is considerably larger; it is then about half its proper size. He would wish to have the season fixed from the 1st April to 1st November. He does not think the Salmon Fry remain two years in the river before they descend to the sea, but cannot assign any reason for his opinion.

Mr. William Bullen, sworn.—Witness has two stake weirs on the Bandon river; and before the late Act passed, used to fish them from the 1st March to 1st November. Before this year he never commenced until the first March; and he always considered March and April to be the best months. In March they have a run of Spring fish, varying from six

Development of
pea.
Season desired.

Former fishing time.

to thirteen pounds. The spent fish which go down to the sea return Spring Salmon. Is now of opinion that February is the best fishing month. He was prejudiced against it before the late Act, but this year he caught the best fish in February. Catches most spents in his ebb weir. There are a few old fish coming down in February. Always got 10d. a pound, on an average, for his fish in March, April, and May. 1s. 6d. was the price in March and April; but it comes down in May, and is still lower in June. The Peal are generally from three to five and a half pounds weight. He caught fish, last April twelve months, over eighteen or twenty pounds weight. He thinks that the Fry which go down to the sea return as Peal in two months. Thinks that fishing in February would be beneficial in his part of the river. The old fish (spents) do not, except in very few instances, come down so soon. July and August are bad months for fishing. The number of fish is greater in June and July than in September and October, but they are of a larger description in the latter months. They remain good till the 10th October, but are not fit to be killed after that time. If the entire fishery belonged to him, he would not allow any fish to be taken in the estuary after the 10th October; and he thinks a sufficient number of breeding fish would go up after that time if the river were properly protected. He has never seen Salmon Fry in that river. He has a Sprat weir, and has caught Sprats in March, but never took any Fry amongst them. They do not fish for Salmon at Kinsale, and but one person, Mr. Barton, has a Salmon net between him and Kinsale. There are two stake weirs above his, which belong to persons named Walsh and Jordan. He cannot tell how many Salmon seines there are between him and Innoshannon, but thinks there are about ten, at the very least. There is no bag or other Salmon net fishing outside Kinsale.

Joseph Hussey, sworn.—His father is in the Salmon trade, and has a contract with Mr. Bullen for the fish of his weir. He buys all the fish of Mr. Bullen's weir, and keeps his father's accounts. The following return of the fish sent by Mr. Bullen this year is correct:—

1844.					
	Fish.	lbs.		Fish.	lbs.
February, . . .	24	170	June, . . .	25	162½
March, . . .	37	281	July, . . .	26	126
April, . . .	30	238½	August, . . .	26	144
May, . . .	45	362			
	136	1,051½		77	432½

Total number of fish, 213. Total weight, 1,484 lbs.

Mr. John Cotter, Clerk of the Petty Sessions, sworn.—Lives in the town of Bandon, and is in the habit of angling for his amusement. The spawning commences in the Bandon river at the latter end of November, but the great bulk of the fish spawn in January and February. His observations are, he wishes to be understood, confined to the lower part of the river, between Bandon and Innoshannon, with which he is best acquainted. He has seen the fish working out the pea up to the 11th or 12th March. The greatest number of fish spawn in January, in that part of the river of which he speaks, and he is not acquainted with any part higher up. They are generally done on the 12th March. He saw two or three fish one season scouring above the bridge on the 12th March; the female was lying on the scour, and the male went continually round her, and then both lay together before exuding the spawn. After the fish have deposited the pea and milt, they become sick, and fall back into the holes and deep pools. The spent fish commence to run towards the sea in February; there is but an odd one found in April and May. The fish which go up earlier than November are generally killed above; and if the fish were allowed to ascend the river early, the spawning would take place at an earlier period. The Fry come down at the latter end of April, and during May. They generally come about the beginning of May. They are about the size of large Sprats; and he is of opinion that they are the spawn deposited the previous January and February. One of his reasons for this opinion is, that he never saw any intermediate stage between the ova and the Fry. He thinks the Streamer or Gravelling are a distinct and separate fish. The Fry is longer and more slender; it is also blue on the back, which is not the case with the Gravelling. The pea of the fish begins to be developed in August, it increases gradually till September, and is about half the size in October. All the fish in this river have forked tails. In September the fish are inclining to a dull colour, but they are still bright. He never angled in the upper part of the river. The "blackberry" Salmon are the best they can get. Is of opinion that the spent fish return to the river good and sound fish after a short period. Heard his father say that he took the fins off some Fry for the purpose of marking them; and the same fish came back as Peal in a few months. He has killed good Salmon in March which had been spent fish that year. He has also killed red Spring fish in February, and has seen spent fish going down perfectly white. It would be impossible to tell the value of Salmon in this river until strokehauling is given up. The poor people resort to this method of destroying the fish, because they kill them quicker. The strokehauler injures other fish besides what he takes; but the number injured is not at all so great as the number which is taken. There is no strokehauler who will not occasionally miss his aim; but if he miss one he will take nine. The strokeall is used more in the Close than in the Open Season. There is no fair play given to the angler on this river; they are actually and positively prevented from angling. Mr. Fruen only gave permission to a few persons to angle on his estate; while part of it was let for the purpose of strokehauling. From

APPENDIX, No. II.

The Bandon.

March fish.
February fish.

Prices.

Season.

Produce.

Spawning.

Spents.

Fry.

Gravelling.

September fish.

Strokeall.

Prevention to
Angling.
Rent paid for
Strokehauling.

APPENDIX, No. II. Priesthole to Bandon no one is allowed to fish except the strokehaulers who rent that part of the river, on one side, for this mode of fishing. The strokehauling ground is positively farmed; and it is generally understood that Mr. Mathews is aware of this. No one can angle on Mr. Fruen's side of the river without a written authority; and the people are regularly ordered off by the water-bailiff. There is much the same number of strokehaulers now as there was a short time before the Act. He is of opinion that a full permission to angle would have the effect of protecting the fishery. The strokehaulers have narrowed the river in certain places with stones, so that on the darkest nights they can see the Salmon approach, and are thus enabled to destroy them easily. These persons also use nets for taking the fish. He heard that the strokehaulers paid £3 and £4 a-year for the privilege of strokehauling and night net fishing. His father had farmed the Bandon fishery, the principal part of which was from the weir to the bridge. He paid for this £50 a-year, and £80 the last year he held it, which, he thinks, was in 1815. He held the fishery under Mr. Biggs; and on one occasion he caught 275 fish between the bridge and the weir in a single day's hauling. Witness attributes the destruction of the fishery to strokehauling and the Scotch weirs. Even if the stake weirs existed, a quantity of fish sufficient to stock the rivers would go up from the 1st November to the 1st March. The Fry generally come down to the sea in April and May. They go down with the floods; and, if the obstructions were removed, and free passage given to them, they would drop down when ready, without waiting for the floods. The Fry which go down first return first as Peal. If the opening in the Bandon weir were full of water, the fish could not pass up. This weir is used for taking fish; it is open in the weekly, and the grates are taken out in the annual Close Time. As Clerk of Petty Sessions, he did not know of a case of poisoning the river about this place, but heard that it had been poisoned higher up. One side of the river belonged to the Duke of Devonshire, and no strokehauling was permitted on that side. He heard that the Bandon river was called the "Glassen" in some old records, and believes it to be the same river. Is of opinion that the Close Season should commence on the 15th or the 20th October, and continue till the 17th or the 20th March. Was on the banks of the river the 20th February last year, and saw nets hauled there at that time. There were a great many spents, and some fish full of pea, caught in them; but the proportion of the good with the bad was about equal. The season which he suggests would benefit the entire river. He saw five spawning fish going up yesterday in ebb tide. By rod fishing about one fish is taken for every 200 that are caught below. "Gosky Shallow" is the place where the greatest destruction takes place; it is a disputed part between Mr. Biggs and Mr. Fruen. He has seen fish torn and lacerated by the strokehaulers, and feels that strokehauling should be suppressed by every possible means.

Rent.

Former abundance.

Fry.

Suitable Season.

Suppression of Strokehauling.

Season desired.

Produce.

John Walsh, sworn.—Witness has a stake net at the land on which he lives, and has fished the river these fifty years. Would wish the Close Season from the 1st or 20th October to the 1st or 20th March. Has formed this opinion because there is a great deal of fish in the river not worth taking before March; and because, also, the heavy fish run in September and October. When a spent fish is hauled in by the net and handled, it never could be of any use afterwards if thrown into the sea.

Mr. John Payne, sworn.—Is manager of Mr. Biggs's fishery, and has an accurate account of the quantity of fish taken in this fishery for the last three years. This fishery is carried on both by a net and hutches. The draught net is used below the bridge, and is generally hauled daily. The hutch used to catch as much as the net, but it does not now fish so well as before the alteration was made in it; the back grates are four feet in width. Is not aware that any rent is paid separately for the fishery; he understood that it went with the mills, of which Mr. Biggs had a lease from the Duke of Devonshire, and the right to the fishery is specified in this lease. The whole amount produced by the fisheries in 1843, was £32 5s. 10d.; and in 1844, £51 15s. 7½d. The following return is correct:—

1843.							
Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.
	lbs.		lbs.		lbs.		lbs.
March 3	133	April 14	24½	May 1	8	June 14	7
" "	13½	" 15	5½	" 3	21	" 16	12
" "	43 (old)	" 17	40	" 5	7	" 20	24
" 16	40	" 18	5½	" 8	7	" 21	36
" "	74 (old)	" 19	12	" 11	12	" 22	16
" 26	16	" 20	80	" 12	13	" 23	4½
" "	14 (old)	" 21	21	" 16	95	" 24	18
—	—	" 22	10	" 17	7	" 26	16
—	—	" 26	16	" 18	24	" 27	14
—	—	" 29	10	" 19	7	" 28	10
March	333½	April	224½		208	June	157½

1843.							
Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.
July 1	10	August 1	16	Sept. 2	14	Oct. 25	24
" 4	8	" 4	6	" 3	19	" 26	28
" 5	12	" 5	3	" 9	4 $\frac{1}{2}$	" 30	49
" 6	6	" 8	5	" 12	3 $\frac{1}{2}$	" 31	63
" 8	7	" 9	2 $\frac{1}{2}$	" 13	8	—	—
" 10	7	" 10	5	" 15	8	—	—
" 11	20	" 11	3	" 19	18	—	—
" 12	8	" 15	4 $\frac{1}{2}$	" 20	6	—	—
" 13	4	" 16	22	" 22	16	—	—
" 15	4 $\frac{1}{2}$	" 17	8 $\frac{1}{2}$	" 25	6	—	—
" 17	18	" 19	4 $\frac{1}{2}$	—	—	—	—
" 21	2	" 22	10	—	—	—	—
" 24	12	" 23	6 $\frac{1}{2}$	—	—	—	—
" 25	3 $\frac{1}{2}$	" 24	7 $\frac{1}{2}$	—	—	—	—
" 28	3	" 26	2 $\frac{1}{2}$	—	—	—	—
July	125	August	106 $\frac{1}{2}$	September	103	October	164
1844.							
Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.	Month.	Weight of Salmon.
Feb. 13	208	March.	—	April.	—	May 3	6
" "	56 $\frac{1}{2}$	—	—	—	—	" 14	4 $\frac{1}{2}$ Peal
" 14	(old) 222 $\frac{1}{2}$	—	—	—	—	" 18	4
" "	(old) 17	—	—	—	—	" 22	8
" 16	20 $\frac{1}{2}$	—	—	—	—	" "	5
" 21	12 $\frac{1}{2}$	—	—	—	—	" 23	6
" "	46 $\frac{1}{2}$	—	—	—	—	" 25	2
" "	(old) 16	—	—	—	—	" 27	3
—	—	—	—	—	—	not reckoned,	90
February	399 $\frac{1}{2}$	March	260	April	220	May	128 $\frac{1}{2}$
June 6	5 $\frac{1}{2}$	July 3	8	August 1	8	September	—
" 7	4 $\frac{1}{2}$	" 14	5	" 6	6	—	—
" "	3	" 18	4	" 8	4	—	—
" 8	9	" 26	23	" 9	5 $\frac{1}{2}$	—	—
" 11	7	—	—	" 13	6	—	—
" 12	18	—	—	" 15	8	—	—
" 26	4	—	—	" 16	10	—	—
" "	(old) 4	—	—	" 19	11	—	—
" 29	6	—	—	—	5	—	—
not included	90	—	—	—	—	—	—
June	151	July	40	August	63 $\frac{1}{2}$	September	—
Gross Produce for 1843.				Gross Produce for 1844.			
March,	.	.	333 $\frac{1}{2}$	February,	.	.	399 $\frac{1}{2}$
April,	.	.	224 $\frac{1}{2}$	March,	.	.	260
May,	.	.	208	April,	.	.	220
June,	.	.	157 $\frac{1}{2}$	May,	.	.	128 $\frac{1}{2}$
July,	.	.	125	June,	.	.	151
August,	.	.	106 $\frac{1}{2}$	July,	.	.	40
September,	.	.	103	August,	.	.	63 $\frac{1}{2}$
October,	.	.	164				
			6)1,422				6)1,262 $\frac{1}{2}$
			237 Salmon.				210 $\frac{1}{2}$ Salmon.
supposing 6 lb. to be the average weight of the Salmon.							

APPENDIX, No. II.

The Bandon.

Prices.

Suitable season.

Spawning.

Produce.

Increase.

Protection.

Spawning.

Best months.

Poisoning.

The Arrigadeen

Spawning.

Obstructions.

On the 13th February, 1844, 208 pounds of Spring fish, and 222½ pounds of spent fish were taken in the first haul; and in the second, fifty-six and a half pounds of Spring, and seventeen pounds of spent fish, besides a quantity which was let go; and on the 14th of the same month, twenty and a half pounds Spring, and seventeen pounds old. In February, the Spring fish were sold for 1s. a pound, and the other fish for 3d. In February this year, a great many fish were caught in the back grate of the weir; and in that month they took fish which were literally in the act of spawning—the pea and milt were bursting out of them; and the nets when hauled in, were covered with spawn. Even late in March, a great number of fish were taken that had not spawned. The river would be benefited if the Close Season were fixed from the 1st October to the 17th March. They are frequently prevented from drawing the nets in consequence of the floods. More fish are destroyed up at Ballyneen than at Mr. Biggs's place. Mr. Biggs was the only person who protected the river for a long time; he knew him to refuse £35 for the fishery one year, from a person who would not pledge himself to protect it, and afterwards take £20 from another, who undertook to protect. Has seen the fish spawn below the weir; they begin to spawn in November, but the great bulk spawn in January.

Andrew Moore, sworn.—Witness conducted Mr. Biggs's fishery for six years, from 1836 to 1842. Mr. Biggs commenced the protection of the river in 1838, and did away with strokehauling almost altogether. In 1832, the produce of the river was only £15; in 1840, they caught 561 fish, weighing thirty-one hundred weight; this was sold for £114, and includes the produce both of net and hutch. The fishery gradually increased from 1839; and this increase he attributes to the care and protection which were employed; up to 1839, the spents were never allowed to pass down.

Mr. Adam Meade, sworn.—Angles in the Bandon River; and for two years past has attended to its protection. He protects the river from Kilcoleman to Dunmanway. Often saw the fish spawn in the latter end of December and January, near Dunmanway; that is the principal spawning time; but spawning begins very early in November; it is at its height from the 20th December to the 20th January. He never caught a Spring fish till after the 1st March: and on the 12th February last there were 150 persons angling in the river, and not a single Spring fish was caught on that day, nor for a week after. It would appear that Mr. Biggs' weir prevented them from going up, and the Spring fish are not so anxious to get up the river as those going up to spawn. He heard that Mr. Lamb drew a net on the river the 12th February, and did not kill a single Spring fish. The Spring fish are not found in the upper part of the river till the 1st March. He has seen fish spawning after the 20th February, in the upper part of the river, and more fish spawn there at a late period than in the lower part. There are some good pools and shallows in the Bandon River. There is one pond at Palaceanne, that is always full of Salmon. The greatest run of good fish is in the latter end of March and April. Peal do not come up this river in any great numbers, as the water is too low in Summer. Fish which go up in August are reddish, but still bright in the early part of September. Out of seven fish caught in October, three or four would be bad and heavy. Fish caught in September are not very much advanced in roe and milt. There is a very good run of fish in August, and he never caught a fish heavy in pea in that month, or in September. There is only one draught net used in the upper part of the river; it belongs to Mr. Lamb. Poisoning was formerly carried on to a great extent; and to this he attributes the decrease of the fishery. The fisheries in the upper part are of no marketable value, nor are there any of them let. The practice of poisoning arose from a consideration of gain, and not from malice; it has greatly diminished the quantity of fish. About two miles of the river on one side, are preserved for private use; but there are two open days in each week upon which every one is allowed to fish. In 1839, when the river was protected, there was a great flush of fish in two years after. There is a pond above the Palaceanne mill, which is always full of Salmon, and there is no gap at that weir.

Rev. Armiger Sealy stated, that he lived for thirty-four years within a short distance of the Arrigadeen, and was prepared to say that no Salmon ever went up into it until the last week in July. The fish run from July to the middle of December; they do not enter this river until the floods come. There is great destruction of fish carried on by lights and spearing. He heard that a great quantity of Salmon was taken this season, in Courtnasherry Bay. The Arrigadeen is an admirable spawning river. The spawning takes place in January. The Fry come down in April and May. Hinchey mills are a great obstruction to the free passage of the fish. The water cannot pass over the weir of this mill unless in time of flood.

The Bandon inquiry here closed.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at CORK,
MONDAY, NOVEMBER 25, 1844.

The Lee.

SUBJECT OF INQUIRY.—THE RIVER LEE AND ALL ITS TRIBUTARIES, AND ANY OTHER
SALMON RIVER TERMINATING ON THE COAST OF THE COUNTY CORK, BETWEEN
BARRY'S HEAD AND BALLYCOTTON, TOGETHER WITH THE FISHERIES OF THE COAST
BETWEEN THESE POINTS.

James Murphy, esq., stated that 104 fishermen from Blackrock had entrusted to him a Memorial, which he begged to present to the Inspectors of Fisheries. These 104 persons had 450 others depending on them for food; and, in consequence of their honesty, in the midst of great privation, were well deserving of attention to their demands.

The following Memorial was then read:—

"To William T. Mulvany and J. Redmond Barry, Esqrs., Inspectors of Fisheries.

"The Memorial of One hundred and four Fishermen, of Blackrock,

"SHEWETH,—That memorialists, in compliance with your request, as published in the Cork papers, beg to lay before you the following suggestions regarding the fishery of the River Lee, founded on their experience for the last fifty years, and for the truth of which they are ready to be examined before you; and as no persons are more interested in the fishery than they are, as they and their families are solely dependent on it for support, they are willing to afford you any assistance in their power for its protection and improvement.

"That in the opinion of memorialists, the necessary and a fully sufficient time for a Close Season should be, in the tideway, from the 20th October to the 1st February, as they know by experience that the Salmon do not come up to spawn (with a rare exception) before that time, and never after the 1st February, and consequently a longer Close Season would be most injurious to them, without conferring any benefit on the fishery.

Suitable season in the tideway.

"That the Close Season in the fresh water, above Cork, should extend from the 1st November to the 1st April; not for fear of taking Salmon coming up to spawn, but because by fishing over the beds where the spawn is deposited, they would disturb and injure them, and to this cause they impute the scarcity of fish in their river, since the new Act came into operation; as many gentlemen and others, since that time, got up nets, and by continually drawing them over the beds, did, in the opinion of memorialists, incalculable injury, and consequently this restriction is essentially necessary to the welfare of the whole fishery.

Season in the fresh water.

"That memorialists respectfully suggest that the weights of lead and iron attached to the nets used above Cork, are totally unnecessary for the purposes of fishing, while they are calculated to do much mischief to the spawning beds, and should be prevented.

"That memorialists beg to call your particular attention to that part of the new Act that obliges them to use nets of ten-inch meshes, such meshes being totally unfit for their river, as all the Peal that frequent their river, and on which they principally depend, pass through them, and render their labours almost useless. They, therefore, earnestly hope that you will see the justice and necessity of allowing nine-inch meshes for them, and the same for the entire fishery.

Size of mesh.

"That memorialists are aware of your high character for honour and impartiality, they therefore rely upon your sense of justice and humanity, that you will take their suggestions into your consideration, and not inflict upon them a longer Close Season than they have submitted, as it would oblige them to abandon their calling altogether, and bring ruin on themselves and their families.

"And your memorialists will ever pray."

RIVER LEE.

Mr. McCarthy appeared as counsel for Mr. Hayes, the holder of two fisheries by patent; one on the North, and the other on the South branch of the River Lee. Before the 5th and 6th Victoria, there was no Close Season to be observed in this river, and they fished in every month, and on every day in the year, so that there was no fish to stock the river, except what escaped over the weir, or what Mr. Hayes permitted to pass up, by opening the hutches; and this he was obliged to do by stealth, or they would be destroyed above. By the late Act his client was obliged to keep the hutches open for five months in the year, besides during the weekly Close Time; and this caused a great diminution of his property. The Act had a very injurious effect upon him; and counsel hoped that the Commissioners would mitigate the evils under which his client suffered, by consulting his interests in the fixing of a Close Time. He wished the Close Time should end, at least, on the 1st February. In February there is the greatest run of Spring fish; and he could prove, that out of a great number caught in that month, there would not be more than five or six bad; in fact, if February and March were taken off, the property in the fishery would be utterly destroyed. There were three kinds or varieties of fish, in good condition, ran up this river: the Spring fish, in February and March—the price then, 1s. per pound: the Peal in April, May, and June; the greater portion of this fish falls to the lower fishermen, for the water in the river is too low during these months to admit of their ascent; and thirdly, there is a run of what is termed "Harvest fish," in June, July, and August, and occasionally in September. The Harvest fish may contain a portion of spawn, but it never comes to maturity. The take in August and September, in most seasons, is small, and the price in those months is 3d. or 4d. a pound. His client also sought for an alteration as to the weekly Close Time. The weir being at the junction of the tide and fresh water, it is

The Lee.

Former Close Time.

Close Time desired.

Description of fish.

Alteration in weekly Close Time.

APPENDIX, No. II.

The Lee.

- difficult to ascertain when it is low water there; and as he has been harrassed by notices, and irritated by prosecutions, upon the most slender grounds, he wishes that the weekly Close Season should be from six o'clock on Saturday evening to six o'clock Monday morning. This, he conceives, would remove all uncertainty, and would put a stop to a system of aggravation which has been pursued towards him in the enforcement of the law relative to the weekly Close Time. He was also desirous that the distance between the upstream rails of the hutches of his weir should be lessened. He makes this application under the 58th and 91st sections, and grounds it on the fact that a seven pound Salmon can pass through the present bars. The run of breeding fish never takes place till after the 1st October, and the spents return to the sea before the 1st February. His client was desirous of a minimum Close Season, and was more anxious that the Open Season should commence on the 1st February, than be extended at the end of the year. And as far as regarded an uniform Close Time, he considered it unfair to impose upon this river, for the sake of uniformity, a season which did not suit it, because that would be depriving the city and the neighbourhood of the peculiar advantages which this river conferred.
- Uniformity of season.
- Anglers. *Mr. M'Carthy* appeared also for the Anglers.—The anglers did not wish that there should be no Close Time for them at all; but they would be satisfied if they obtained the minimum Close Time which it is in the power of the Commissioners to fix. They wished that the Close Time should terminate on the 1st February, and that the hauling of nets in the upper parts of the river should be prohibited during the month of February. He would prove, that notwithstanding the opening of the weirs, the object of the legislation in that respect was defeated; for, those anglers, who, before the Act, used to kill six Salmon in a day, did not now kill twelve in the year. He believed that various modes of destruction are resorted to in the upper parts of the river, and the anglers are despoiled of the share of the fish which it was the intention of the legislature to confer on them. They also had reason to complain of the injurious effects of the 71st section, and particularly that part of it which rendered a *written permission* to go upon lands necessary. They were most decidedly opposed to a tax upon rods; such a tax would impose an additional burden on the anglers: it would restrain them in a pleasure—it would create a new offence—and he need not tell the Commissioners of the dangerous consequences of familiarizing men with the violation of the law. He deprecated the resolution come to at the Cork fishery meeting, of taking away the right of appeal against certain sections of the Act; for the surest way to make a court a bad one, was to take away the right of appeal from its decisions. All the lower fishermen desire that the Close Season should be as short as possible, and should end on the 1st February. *Mr. Hayes* was anxious for the same, and that, too, was the wish of the anglers. He would say for them, in conclusion, that they were prepared to raise a fund for the protection of the river, provided they received the co-operation of the weir proprietors, and the others interested in the fishery.
- Season desired.
- Decrease in supply.
- The operation of the law.
- Assessment.
- Right of appeal.
- Minimum Close Time desired.
- Mr. Mannix*, Barrister, said, that *Mr. Hayes* was prosecuted for not having the hutches of his weir raised during the weekly Close Time, and they agreed to allow the Close Time to be from six o'clock Saturday evening to six o'clock Monday morning; but this arrangement, they afterwards found, could not be carried out.
- Mr. O'Brien* applied on behalf of the Brickfields and Blackrock men, who earn a livelihood by fishing, for the longest fishing time that could be extended. If the Open Season were limited within its present length, it would have a very injurious effect upon these poor fishermen.

UPPER RIVER LEE.

- The Upper Lee.* *Mr. Lewis Gollock*, sworn.—Lives on the banks of the Lee, about sixteen miles from Cork, and between Nadrid Bridge and Carrigadrohid. Has lived there these twenty-six years; a portion of the river and one of the best spawning beds are on his land. Claims no fishery as "a several fishery." Is an angler, and acquainted with the habits of the fish. The earliest period he ever knew them to be on the spawning beds, was the 10th November, but is aware that they commence three weeks earlier higher up in the tributaries. The greatest run of fish on the beds is in the middle of December, but that depends on the height of the water in the river. It is very hard to say what time they leave the beds after entering upon them, as it is impossible to tell one pair from another. The latest time he has seen spawning, was about the 1st February. Last year his son killed a fish on the 23rd February, weighing eighteen pounds, in which the capsule of the pea was not broken, and two days after that a pair of Salmon took possession of the beds under his house. This was a very rare occurrence. There are many nets used in the river in the Open Season, but he did not hear of their being drawn in the Close Time; for his part, and as an angler, he would not care how many nets were used from Inniscarra bridge up. There was a sort of Close Time for all but proprietors before the late Act, from the 20th August to the 12th February; but the Close Time was first observed in the year 1842; it was then from October to the 12th February. In 1843 the Close Season was from the 12th August to the 12th February; and in 1844, it began on the 20th August, and continued to the 12th February. Knows nothing of the tidal part of the river; his observations only apply to the fresh water portion of it, and in that portion a Close Season has been observed since 1842. The protection extended was not effective; there has been great destruction of spawning fish. He is not so much aware of the destruction of spents; and during the past two years the fry have not been destroyed to so great an extent as before. The fish have been destroyed by gaffs, strokealls, and lights; and there were quantities destroyed where portions of the Lee have been
- Spawning.
- Latest spawning.
- Former Close Time.
- Destruction.

taken up for irrigation. When he said that fish spawn three weeks earlier in the higher tributaries, he speaks from his entire experience of twenty-six years. He has seen the heavy spawning fish taken bursting with pea, and at the same time covered with sea lice. He is of opinion that those fish which go up soonest, go farthest up to spawn. The best angling in this river is in March, April, and the beginning of May. February is sometimes good; but there is generally too much snow on the ground in that month to let one do much with the rod. There has been an extraordinary increase of fish since the late Act; the last year was, however, bad, but this arose entirely from a want of water. The Peal run in the latter end of June and July, and the beginning of August. Before the present Close Season came to be observed, they had the "blackberry fish," of very fine quality, which came up in the harvest floods, and succeeded the run of Peal. The pea of this fish is perfectly formed, but exceedingly small; he never saw it larger than the size of a pin's head. In the latter end of August and September the fish get a rosy colour over the silver, and are somewhat approaching a brownish cast. Is acquainted with the breeding of the fish; made observations on it, but not any experiments. Has read Shaw and others upon the subject; but very much doubts the accuracy of their views. When the Lee was perfectly close, the Salmon seldom got up to spawn except when floods came, and breaches were made in the weirs; and, when such a thing occurred, the Trout fishermen used to observe an extraordinary number of Fry in the river in the following March. On Patrick's day they would be from two to three inches long; they would scarcely stir till the latter end of May, at which time they would be from six to six and a half inches in length; these, they concluded, must have been the produce of the previous spawning. The river is overrun with Pike; and he could not see how the Smolts could possibly escape them if they remained a year and a half in the river. Again, in the mountain streams, which used to be frequently poisoned, though he frequently got Trout gasping and dead, he never saw any Fry in that state, nor was there any deficiency of them the following year; and he could not see how this could be the case if Shaw were right. Besides, there is a very great difference between the Gravelling and the Salmon Fry; they are differently shaped, the Gravelling being thicker across the shoulders; they are also differently marked, and the Gravelling is more choice than the Fry; the former likes a grave, the latter a gaudy fly. These observations, and judging by analogy from the breeding of other animals, the frog for instance, which being spawned about Christmas, is half its natural size in September, have led him to form a different opinion from that arrived at by Mr. Shaw, who, he thinks, in his experiments, put the animal out of the course of nature. The coldness of the climate in which he tried his experiments might also have checked the coming forth of the fish, or made it a puny and delicate progeny. The bulk of the fish spawn from December to the latter end of January; after that, but a very trifling portion spawn in any part of the river. The spawning must cease much earlier in the higher parts of the river than where he lives, because the Fry are larger at an earlier period in the upper tributaries than they are in his part. Early breeding necessarily produces early Fry. The Fry do not congregate in schools till the middle of April; the bulk run down then, but this depends on the state of the water. If there be floods about the middle of May, they are all generally swept off by them. He never marked Fry, but has heard that Mr. Knapp did so; and the Fry which he marked in April and May, he caught again as Peal the following June and July. He also caught some of them coming back as Salmon, but cannot tell after what interval. Has no doubt whatever that the spents come back season Salmon, and that Peal are the young of the Salmon. Is of opinion that the fish will return as nearly as possible to the place where they were spawned. The Fry which pass down early, return early. Has caught Peal, which he at first thought were Trout, so early as June. There are several obstructions between his part of the river and the sea. At Ballincollig there is a weir taking water to Mr. Tobin's basin, and when the water is low the fish cannot get up, in consequence of the great extent of the base of the weir. Many fish are detained below this weir for want of water. The next is Mr. M'Sweeny's mill weir, which he has heard is of a great height. These obstructions interfere with the free migration of the fish, but he cannot say that they affect the breeding, because, at the equinox, which is the breeding time, they have plenty of water. If the fish got up in October, they would reach the head of the river in a short time. If permission were given to all parties to fish till the 20th October, the river and the tributaries would be stocked by a run of fish going on daily, and by those which would go up afterwards; but he would not go so far as the 20th. During November, when the floods set in, fish have been found running up bursting with pea, and covered with sea lice. The fish remain some time in the river before they spawn; but those which go up late, and are full, breed in a very short time after. The fish which would go up in October and November would not spawn so early as those which went up in August; but still, the difference is not so great as is supposed. Some say that early spawning is not so good; as, for want of accommodation, one pair of fish would undo what another did. In the latter part of October, and in November, an abundance of spawning fish would run up quite sufficient to stock the river. There are eighty or ninety miles of river, and a great part of that is spawning ground. There is a very small space necessary for spawning; and last year it was remarked that the fish spawned in the deep water, and places where they never spawned before, because the good beds were covered with other fish. The general depth of the breeding places is about two and a half feet. Last year the fish spawned later than usual; the people in the upper parts said that they waited for the frost. The next obstructions to those before referred to, are the Cork Hutch weirs, belonging to Mr. Hayes.

APPENDIX, No. II.

The Upper Lee.

Best angling months.

Increase of fish.

Peal.

Harvest fish.

Two years not required before the ova become Fry.

Gravelling not young Salmon.

Spawning.

Early breeding.
Fry.

Peal young Salmon.

Obstacles.

Season.

November fish.

Spawning.

Breeding places.

Obstructions.

APPENDIX, No. II.	There is another weir above Carrigadrohid, over which there is not always a passage for the fish. This weir has been made by a gentleman of the name of Bowen, for the purposes of irrigation. The Ballincollig weir is sometimes dry, and they have not funds to get a passage made over it. Before the late Act, the value of the fisheries above Sunday's Well weir was literally nothing; in fact, they would not get a person to take them for nothing. A fisherman told him that he killed, with a single rod, 100 Salmon the year before last; that number included both the good and the bad fish. Does not know the value of the whole fishery above the weirs. Several nets are hauled in the upper parts of the river; they are drawn in the deep water; they do not injure the spawning beds; and he speaks as a fly fisher. They cannot be hauled where the fish spawn; and the leads are rounded, so that they could not injure the spawn. There was no protection except for a short time before the passing of the late Act. Taking every thing into consideration, he thinks the best season for the public interest would be from the 1st March to the 1st October. The season suited to this river might not suit other places; but he conceives that the one he has suggested would be the best for the Lee—the upper and the lower part—and the adjacent coast. This would be his wish; but, if the spents were protected, he would have the season commence on the 1st February; but, for all interests, would never close the Lee before the 1st October. The fish which go up in September do not set about spawning so soon after their arrival in the fresh water as those which go up later; nor would he say that those which went up on the 10th September would spawn farther up than the fish of twenty days later. About two and a half miles from Macroom, at Gearagh, there is an expanse of the river like a lake, and there are a number of islets there. There is no current in that place. The Inchigeela lake is distant about four miles up; it is seven miles in length, and three quarters of a mile in breadth; it is accessible to Salmon. There is another lake above that, called the Gowgaunbarra; but in this he never saw Salmon, and there are no obstructions between it and Inchigeela over which moderate floods could not take the fish; the Salmon, however, do not go beyond the Inchigeela lake. In one night, during the winter of 1842, eighteen salmon were killed by lights on the spawning beds; and the people who destroy the fish in that way are fully aware of the extent of the injury which they commit. In February the spent fish are in a very bad state indeed; they are then sick—nothing but skin and bone—and are not taken with a fly. Thinks that if the millers would open the sluice gates it would greatly facilitate the descent of those fish. In March and April there are no impediments to the downward passage of the fish, and there is no want of water in the River Lee.
The Upper Lee.	
Comparative value.	
Nets in upper parts.	
Protection.	
Best season.	
Lakes on the Lee.	
Lights.	
Spents.	
Mr. Hayes' fishery.	All parties agreed with the evidence given by Mr. Gollock, as to the spawning and circumstances of the upper river, and they considered it quite sufficient for proving the facts relating to that part.
Produce.	<i>Mr. John Callaghan</i> , sworn.—Is in the employment of Messrs. Keays and Roynane, and knows the quantity of Salmon delivered to them by Mr. Hayes in February last, which was 452 salmon, weighing 3,169 pounds net; to which is to be added, in order to obtain the gross weight, one-fourth of a pound for each Salmon, which is taken off as tare for exportation. <i>There was not</i> one bad fish among that number. They were all Spring fish, and they are the most valuable. The very highest price was paid for them. The highest prices are always paid in February and March. Got besides from the Lee, in that month, and from different fishermen, 451 Spring Salmon of exactly the same quality, weighing 3,344 pounds. They bought no fish in January. In March Mr. Hayes sent 485 Salmon. Fish are more valuable in February than in March in a commercial point of view. They get the greatest number of fish from the Lee in June, but not the greatest weight, nor are they then one-tenth of the value that they are in February. In London they do not set any great value on the fish after August. The value of the fish caught in September is a little higher than that of the fish in June and July. The supply of fish generally gets scarce towards August, and the price rises a little then. In June and July the price is 5 <i>d.</i> and 6 <i>d.</i> , and in August and September 7 <i>d.</i> and 8 <i>d.</i> per pound. Is three years in his present employment. They are not much in the habit of buying fish in September: the fish caught then is generally sold in the town. Got some Spring fish in December and January, but the fish are not all good at that time. They do not pickle the fish bought in September. The trade begins to fall off in August. The pea and milt were not far advanced in the Spring fish which they got in December and January; but they got very few, as he before stated. The following return is taken from the books kept by him:—
General produce.	
September fish.	
Prices.	
December and January fish.	

Salmon delivered by A. Hayes, esq., into Mr. Keays' store in 1844:—

	Salm.	lbs. net.	£	s.	d.
February 1st to 16th,	101	699	-	34	19 0
„ to 29th,	351	2,470	-	123	10 0
Total February,	-	452	3,169	-	158 9 0
„ March,	-	485	3,551	-	177 11 0
„ April,	-	80	576	-	28 16 0
„ May,	-	65	310	-	15 10 0
„ June,	-	190	640	-	13 6 8
„ July,	-	112	382	-	6 7 4
To 20th August,	-	103	472	-	7 17 4
		1,487	9,100	-	407 17 4

RIVER ACCOUNT.

	Salm.	lbs.
1844.		
February 1st to 12th,	103	763
„ to 29th,	348	2,581
March,	-	338 2,412
April,	-	349 2,582
May,	-	539 4,181
June,	-	1,458 6,657
	3,135	19,176

Michael O'Donohoe, sworn.—Formed a contract with Mr. Hayes in 1843, to take all his fish. Got none in January; in February, received 391 fish, of which there were about a dozen not very saleable. Of this dozen, five were spents; one was heavy in pea; and the remaining six were Spring fish, but torn in the hutches. These six, last mentioned, produced, afterwards, as much as the uninjured fish. His return includes all the fish taken by Mr. Hayes. In March he got 679 salmon; April, 391; May, 427; June, 901; July, 497; August, 41. Paid 1s. 3d. in February and March; 1s. in April and May; 5d. June and July; and 4d. August. The gross amount paid during the entire year was between £700 and £800. He lost considerably by the contract.

John Murphy, sworn.—Has been watchman for Mr. Hayes these five years. Is on duty during the night only. Cannot tell whether all the fish taken were given to the contractors during that time. The hutches were lifted on the 24th of September, 1842; and in 1843 they were taken up earlier, and kept so till the 1st of February. This year they were opened a long time before the fishing ceased in the river below. Witness has put a seven pound Spring fish, when dead, through the rails of the weir. Has known the Spring fish to pass through the inscales. The average weight of the Spring fish is from five to eight pounds; they are seldom so much as eight pounds. Fishes occasionally himself. The spent fish come down from the middle of February to the latter end of April. They can pass beyond Mr. Hayes' weir only in the weekly Close Time, and when the flood-gates are open to allow boats to pass and repass. Has often found fish killed against the grating. There is no open for the downward passage of the spents every day in the year. The great bulk of the spents come down the south branch of the river, and there are grates on the south branch also. The whole value of Mr. Hayes' fishery, both on the north and south branch, is included in the returns which have been handed in. Spents can go down every day by means of a channel which goes into the sea at Wise's weir; and breeding fish can come up through that passage also. The Fry run down in the latter end of February; the first run of Peal is from the 15th to the 20th May; but the greatest run of them is in June. The greatest run of Spring fish is in February, or the beginning of March. If the weather were mild there would be also a considerable run in January.

Daniel Walsh, sworn.—The upstream bars of the weir are square, and are placed edge to edge, and two inches apart. A six pound fish would pass between them, and a considerable quantity of Peal necessarily escape. The spents come down early in February; there may be an odd one in January; and March nearly clears them out of the river. The chief part go down the south branch of the river, and nearly every tide goes over the weir on that side. Very few spents go down by the northern branch. He never saw many of the spents above the weir. The Fry come down in the latter end of February, and the great bulk in March. Peal first come up in May, but very few in that month. The greatest run of Spring fish is in February; and the first is the best part of the month. They only catch an odd one with pea in it in February. The harvest fish run up in August. Is thirty years in the employment of Mr. Hayes. It never was the practice, until the last three years, to take out the grates for the observance of the Close Time. Cannot tell at what time the weir was opened the first of these three years: it certainly was after October. The south channel is not fished much; the weir there is badly attended to; the fish are turned off from it by the first obstacle; and the Sunday's Well weir carries the fish from it. The latter end of February and the beginning of March is the best time for fishing; nets are sometimes hauled at the Sunday's Well weir. The fishing has been falling off these three years; they at all events have not caught so much as formerly; and he attributes this decline to the destruction of the Fry and spawning fish which takes place. For the twenty-seven years before the last Act, the produce was nearly the same in each year; but the fishery has decreased very much these three years. He counted nearly double the fish before the late Act. The prices were as good ten years ago as they are now. There are not more persons fishing at Blackrock and Brickfields now than before; but they fished longer this year in the lower part than at the weir. The stopping time last year was about the same both above and below. The fishery has been worse this year than it was the preceding.

Edward Murphy, sworn.—Is a carpenter, and made the grates of Mr. Hayes' weir. The distance between the bars is two inches. He put a six pound fish through them, and is quite sure that a larger one could go through. The upright bars are oblong, and there is an iron stay going across, to which each bar is screwed to prevent them from raking. A larger fish would go through if the bars were square, and placed diagonally.

SECOND DAY—CORK, TUESDAY, 26TH NOVEMBER, 1844.

Murty Sullivan, sworn.—Is a fisherman, and lives at Carrigadrohid, four miles from Macroom. Knows the Lee these thirty years. Knows the Laney also, a tributary of the Lee. Fished as high up as Mushera mountain.

THE LANEY.

The fish spawn in this river before the 1st November, and they are done spawning before they begin in the Lee. They are done spawning there at this very time. Never saw them later on the beds than the latter end of November. Any of the Spring Salmon that come into the Lee in February and March, and escape being killed,

APPENDIX, No. II.

*The Upper Lee.*Mr. Hayes' fishery.
Produce.

Prices.

Observance of the
law.

Bars of weir.

Spents.

Fry.

Peal.

Weir.

Inscales.

Migration.

Spring fish.

Harvest fish.

Former observance
of Close Time.

Best fishing time.

Decrease of produce.

Inscales of weir.

The Laney.

Spawning.

APPENDIX, No. II.

The Laney.

Spring fish and Peal.

Early spawning.

Fry.

Mushera mountain.

October, November,
and December fish.

February fish.

The Foherish and
Finnow.

Inchigeela Lake.

Pike.

The Lee.

The Geeragh Islands.

Spawning.
Spents.

Fry.

Spawning.

Fry.

Gravelling not
young Salmon.

run up this river with the floods in October and November, and spawn earliest. Knows the difference between Peal and Spring Salmon; Spring Salmon is generally from seven to twelve pounds, and Peal are from two and a half to seven pounds weight. The Peal have generally a smaller head; and the blue shaded fish are the Spring fish. Did not notice any difference in the tails. There is very little difference between Peal and Salmon, except in size. It is the Spring Salmon that have gone up the Lee early in the year, that spawn so early in the upper tributaries. Often saw fish in pairs on the scours; and frequently observed the Trout about the scours. The first time he sees Salmon Fry, is the latter end of February. He speaks of the last five years; all his knowledge of the Laney is confined to that time. The Fry leave this river early in April. The Laney flows from the bottom of the Mushera mountain, which is often covered with snow. It is a high mountain; and he has frequently seen the snow upon it in May. Does not know whether there is a lake in the Mushera. The fish, after depositing their spawn, go into the deep water and remain there; there are not a great many deep pools in the Laney. Salmon are not good immediately after spawning; but they drop into the Lee, and are there recruited. The great bulk of the fish in October, November, December, and January are unwholesome. It is not true that Salmon are always in season in the Lee; the fish caught in February and March, after spawning, are poisonous, and unfit for food. In the beginning of February, the year before last, he saw forty-nine Salmon taken above Carrigadrohid, out of which there were only thirty-two Spring fish, and the rest were so bad that they were obliged to be thrown away. The fish never run up this river until the first floods, in or after September; they are then going up to spawn. All the fish have left it after Christmas; he never, except on one occasion, saw a single fish in it after that time. The Laney is a spawning river, to the very top of it; it is so shallow in the upper part, that you might kick the fish out of it; it is ten miles long; there are falls upon it, over which the fish can pass; its bed is rocky and rugged; and there is a mill upon it at the bottom, where it empties itself into the Sullaun, near Macroom. Sometimes a Salmon could not get into this river for want of water. Fished the Foherish and Finnow, and knows them well. The spawning takes place as early at the top of the Foherish as in the Laney. This river runs mostly out of bogs; it is not so rapid as the Laney. There is a good deal of spawning grounds in the lower, but not much in the higher part, because it is rather shallow and narrow. Fish go up at the same time as in the Laney; and all his observations in reference to the Laney would apply to this river. Knows the Lee as far as Inchigeela. There is a great quantity of fish in that lake; and he conceives that the fish go even higher up, but he cannot speak from observation as he never was farther up than the lake. The lake is deep, and there are a great number of Pike in it. The early fish always go higher and higher, until they get into the lake. The Pike are fished for out of boats, and near the land, with frogs as bait. He has taken a two and a half pound Peal out of the belly of a Pike, which was caught in a net along with some Salmon. He never saw a trammel net used to catch them; but is convinced that if it were used they would catch a considerable deal more of those Pike. There has been a greater quantity of fish in Inchigeela Lake since, than before the late Act. It was first observed in 1843, that the quantity of fish in the lake had increased. Last year the number was greatly increased. The fish can hardly be caught there at all; he never heard of a Salmon being killed in the lake.

THE LEE.

Witness, in continuation.—Knows the Lee from Nadrid Bridge to Inchigeela Lake. No spawning fish were ever known to go beyond Mr. Brown's place, at the Geeragh Islands, except the Spring Salmon, which go up early. These islands are full of trees; they are sometimes covered all over with the flood, and become one sheet of water. The river there is divided into several branches; there are many deep holes, and a great quantity of land which may be said to be marsh, in consequence of its being so frequently flooded. The beginning of the islands is about a mile straight across from Macroom. The fish begin to spawn above the islands as early as in the two small rivers he spoke of before. The spent fish come down before the 1st February, and all through that month; they come in the floods, tail foremost. No Harvest fish ever go beyond the islands. The Fry come to maturity as early there as in the Laney. He never saw a Salmon on the spawning beds, between Inchigeela and Nadrid Bridge, in September. Killed large Fry in the upper parts before they would ever begin to rise to a fly below. Has been told that there were as much Salmon above in the Laney before now as at present, because no weighty fish go up there at all. Does not know exactly when the spawning ceases above the islands; but the spents come down in the first floods after Christmas. In the Lee, *below the Islands*, the fish spawn from the 1st December to the 14th January. The great bulk, from a week before, to a fortnight after Christmas. They might be later than the 14th January, but he did not observe them. Caught fish large in pea up to the 1st March; and it was considered that they were lately come from the sea to spawn. He first sees Fry in that part of the river about the 17th March; and all are clear away about the middle of May, as they go down in the first floods in that month. They never stir till there is a fresh in the river. Fished with a close sized mesh at all times, and he never could see a Salmon Fry after the middle of May. There are a great deal of spawning grounds in the Lee. Catches Gravelling; they are very different from the Fry. The Gravelling has stripes on the side; and the scales of the Fry come off in the hand. The Fry is of a blue shade; while the Gravelling is marked with black and red spots, and is of a yellow shade. Never scraped

off the scales to see if the marks underneath are similar. The Gravelling are to be seen at all times; while the Fry appear at only one period of the year. The Gravelling are of different sizes; he has found them with pea and milt in them, and the Trout the very same way. The Gravelling have the same fins as the Salmon. Saw the Gravelling to the size of a middling Fry, but never to the size of a large one. Caught forty-nine dozen of Gravelling mixed with Trout, in one summer's day, some years ago, after the Fry had gone down, and there was not one Fry amongst them. Never saw Gravelling going in schools. Observes Spring fish coming up the latter end of January and February, but they never rise properly till March. February, March, and April are the Spring Salmon months. It was considered that there were 100 Salmon last year, for the one there has been in the river this year. There were beautiful floods in the river; and yet the Salmon did not come up. Heard that this was caused by a wire grating being placed across the weir.

To Mr. M'Carthy.—Heard Mr. Gollock say that his son saw a pair of Salmon on the spawning beds on the 25th February. It is a rare occurrence to find spawning fish on the beds after the 1st February. There is a restriction to angling on the Lee; but before these last two years there was no opposition whatever; all parties were at full liberty to angle. He has known a farmer to set his ground to gentlemen to angle on, to the exclusion of every body else. Even farmers themselves, he believes, are hindered. It is all gentlemen who live in his locality; and they keep their part of the river to themselves. They used to give liberty to parties for two days in the week, on payment of 10s., but they would not for any money give liberty to fish every day. The river is situate a good piece from the road. There are no public passes along it. There is a footpath along the river, where anglers used to go, and from which they are now excluded, unless they have a written permission. Previous to the late Act, it was not worth while to fish the river; but, now that both parties have increased advantages, they cannot agree as to how to divide their rights. Has known the Lee since he was born; and always saw persons angle without interruption, along that path from which they are now excluded. There are six times the number of anglers on the Lee now, than there were formerly; there is not a day on which there are not anglers on the river, both in Close and Open Time. Within the last few days there have been prosecutions and convictions for angling in Close Time. At a very early time, when he was a boy, there were more nets hauled in the river than there are now, and there was no Close Time then. There are at present four nets on the Lee, between Nadrid Bridge and Inchigeela; there are two on the Sullane, but no Salmon net on the Laney. Can only say that two of those who use these nets are proprietors in fee simple; these are in his own neighbourhood, but he knows nothing of the rest. The year before last a good many anglers paid the required 10s. for permission to fish; but very few this year, because they did not get liberty to fish generally, and in every place they pleased. Witness cuts up the Harvest fish in August, and knows their condition in that month. Such of them as come up first are brighter than the Winter fish; they are quite silvery, and in fine condition. Has not seen Peal in the river at the latter end of August, nor after that month, nor has he seen Peal spawning. The Salmon are changing to a red colour at the close of August. The longer they are in the river the more brown they are becoming, and the larger the pea is getting. It is larger, therefore, in September than in August. The longer the fish are without coming up, the redder they are. The Blackberry fish have fine large pea in them on the 6th or 12th August. Has not taken them after the 12th; the year before last he caught them up to the stopping day, the 12th August. Saw September fish cut up, and they were very large in pea. Fish caught in September above Nadrid Bridge, have curd in them before they spawn. He has heard of fish straying about, and not knowing where to spawn. Cannot say if the fish caught in February, heavy in pea, were ready to spawn. Frequently killed fish heavy in pea in February. The fish prefer a gravelly place to spawn in; and that is the reason why they do not go up beyond the point he mentioned, as there was mud there.

Denis Coleman, sworn, and examined by Mr. M'Carthy.—Has been an angler on the Lee these twenty-five years. Has not angled for Salmon on other rivers; and has caught 300 Salmon in his time with the rod and line. Has found good Salmon every month in the year. Has not caught Spring fish in every month; did not catch them in November and December; but in every month he caught good firm fish. Finds the Salmon much more abundant since the late Act than they were before. Has been prevented from angling since the late Act in places which were free to him before. The greater part of the Salmon that pass the weir are killed above by netting and "sopping." Heard that they were so caught, but did not observe it himself. There is a greater number of persons fishing now with rod and line than there were before; but they do not deserve the name of anglers: they catch nothing. The great bulk of the fish in October, November, December, and January, are spawning fish, and are not good for eating or for the market. Lives between the mouth of the Bride and Dripsy; and knows that part of the river. The fish commence to spawn there about this time—the 26th November; the great bulk spawn from about the 12th December to the 12th January; very few spawn there in February. The spawning time is a great deal earlier now than when the weirs used not to be opened; it is now about a fortnight or twelve days earlier. Does not think that early spawning brings the Fry sooner to perfection. Winter alone is the spawning time. The Fry run down from the latter end of March to the 12th of May: the first time he sees them take the fly is about the 20th March. The spents come down first in March; he cannot rightly say whether they come down in February. Peal are the next best fish to Spring fish, because firmer—Peal are maiden fish. The next in quality are the Harvest fish; they are inferior

APPENDIX, No. II.

The Lee.

Spring fish.

1843 and 1844 compared.

Obstruction.

Restriction to angling.

Convictions for breach of law.

Former fishing.

Number of nets.

Harvest fish.

Peal.

August fish.

Increase of pea.

September fish.

Produce of angling.

Supply before and since the Act. Prevention to angling.

Spawning.

Change in time of spawning.

Migration.

Spents.

Peal.

Harvest fish

APPENDIX, No. 11

The Lee.

Spring fish.

Salmon Fry and
Gravelling different.

Mill weirs.

The law.

Brickfields fishery.

Ascent of breeding
fish.

Decrease.

Average weight of
the fish.

Former abundance.

Number of nets.

Spents.

Mode of fishing.

Produce.

Markets.

Obstructions.

to Peal, because they are soft, and do not keep so well. The new-run Winter fish are next to the Harvest fish; they are not so good, because they have pea and milt in them. There are, in fact, four kinds of fish in the Lee: Spring fish, Peal, Harvest, and Winter fish. Spring fish are, he considers, maiden fish. The Peal are about four pounds weight; from four and a half to five pounds was the heaviest he ever caught. He caught two Peal on the 10th May before the passing of this Act. The earliest Spring Salmon he caught was on the 12th February, but he heard of their being caught sooner. The greatest run of Spring Salmon has been, since the opening of the weirs, in February and the early part of March. Believes that the four kinds of fish mentioned all spawn, and that, too, about the same time; all in Winter. Is certain that the spawn of every fish comes to perfection if deposited in November. Thinks that the whole four kinds of fish cannot sometimes get up till Winter for want of water. There are many Winter fish twenty pounds weight. Saw, to the best of his opinion, two kinds of Gravelling. The Salmon Fry and Gravelling are different. The shape, fins, and wings of the Fry are more like a Salmon than those of the Gravelling are. The Fry is stouter about the gills, and is more delicate, soft, and "genteel." The Gravelling is tough and strong. He has caught Gravelling with milt, but never with pea.

Mr. Keefe O'Keefe drew the attention of the Inspectors to a prosecution pending against him, and instituted by the Fishery Association, for not opening one of his mill-gates during a certain time. He did not consider himself bound by the Act to open the waste-gate in question. The opening of it would injure the working of the mill, as it would require twelve or twenty-four hours afterwards to get a head of water; and would also be injurious to the fish, in consequence of their being tanneries in the stream which it keeps up. He never knew it to be opened. It certainly had not been opened in his memory; and besides, he considered himself obliged, by the 63rd Section, to keep the flood gates shut, in order to force the water up to where the fish pass. Where the opening is required by the Act is in a place "suitable for the passage of fish;" and surely a stream full of lime and tan was not suitable for such a purpose. This gate, besides, could not be opened; and if it could, it would injure him, injure the fish, and not be in accordance with the Act.

Michael Moynahan, sworn, and examined by Mr. O'Brien.—Is a net-fisherman. Lives at Brickfields, and has been fishing these forty-seven years. There were ten years of that time during which he was not fishing constantly; but latterly he has been so engaged; and it is his only mode of livelihood. Has particularly observed the passage of the fish up the river to spawn; and kept memorandums of the quantities passing up since 1816. They pass by his locality in the latter end of September, if there be heavy floods; and from that time to December; the great bulk go up in December, and some in January. It is a very rare thing to see a spawning fish go up in February, and when caught at that time they are generally casting their spawn. By spawning fish he means Winter Salmon; and judges of them by their size, colour, and fulness of the pea. There has been a great decrease of fish these last two or three years, particularly in 1843. Saw a large quantity of fish pass up in 1842. Thinks the number was as great as in 1815, when the weirs were broken down; but is of opinion that the one hundredth part of them did not return. Considers that great numbers of them were killed up the Lee. The average weight of Spring Salmon is seven pounds and a half; the smallest he ever took was four pounds; but he saw one in March only three pounds: it was a Spring fish, and paid for as such. The fish get smaller in March than in February, and are smaller in February than January. In 1815 the weirs were carried away by the floods, and the Summer following was the greatest season for fish he ever remembers. On the 1st August, 1816, he caught thirty-nine Peal and one Salmon in a haul. He has caught a Spring Salmon the 11th November, and caught Spring fish also in December and January. Has also caught good Harvest fish in October. Every month in the year he has caught Salmon in good condition, and fit for the market. The greatest number of Spring Salmon is in January; they are also caught in July and August. Catches the Harvest fish from July to October, and Peal in April and May.

To Mr. Mulwany.—There is not a general run of good fish in October, November, and December. There is in or about an equal number of Spring and Winter Salmon taken in January. There are ten nets at Brickfields. Some men from Cork fish opposite Tivoli. There are thirty seines at Tivoli; and that makes forty nets altogether at that side of the river. All the boats are registered. They take some spent fish in February and March. Some of them that have been some time down are improved; but they would be willing to let all the spents pass if the gentlemen above on the river would not destroy. Last Spring twelvemonth there were more than 100 spents found dead about Brickfields, which had been killed up the river. He seldom saw spents in January; and thinks that not many could go down without his knowing it. There is one boat to each seine, and four hands—generally of one family—to each boat. They cannot afford to eat the Salmon. Fishing for Salmon is their general employment, but they sometimes fish for Herrings and Sprats. These fish sometimes, but not very frequently, come up to Tivoli Point in high water. They never drift for Salmon; but he thinks it might be profitably done there. His seine made, in 1841, £108 by the Salmon taken. There were three boats, which did not make so much between them; and he did not think that any of the other six made so much as he that year. They sell their Peal about the town, and the Spring fish to Mr. Keays. The boats which fish below them from Cork are increasing in number. They begin to fish on the last quarter of ebb, and have about four hours' fishing. Each boat takes its turn, and there are no disputes between themselves, nor any differences between them and the Cork men. Thinks more fish pass up since the weirs were opened than before. In former times,

when there were obstructions, the fish used to go up to the weir and drop back again, being unable to get up except in floods; and hence the quantity of fish taken below used to be greater. They have stopped fishing during the weekly Close Time since the passing of the Act. In 1842 they fished on till late in November, under the impression that they came under the old Act at that time. In 1843 some fished beyond the 20th August. Saw some hauling in November; and they fished by stealth at Brickfields up to January. They seldom catch a Salmon in their Sprat nets. Some of the Cork boats fish till high water. Pays no rent; did at one time pay twenty guineas, and at another five guineas a year for the fishery. Out of the £108 made in 1841, £60 was received for Spring Salmon. February is the best month in the year; by far most money is made then. They get Peal in the latter part of April, but the great run of them is in June. The pea is not generally half the full size in September, but it is larger than in August. The value of the fish taken from the 20th August to the 1st September, is not any thing like that of the fish taken from the 1st February to the 12th: their number is not so great, and the price is not one-fourth. Formerly the greatest amount of money was got from the 1st to the end of February. September is not so good for the last ten years as it used to be. September is inferior to April, and one of the worst months in the year, both as to quantity and price. The greatest number of fish is taken in June. Pays nothing towards protecting the river. He does not envy those above what they catch in the Open Season.

To Mr. O'Brien.—Before the late Act January was a good month. If there be dry weather, and an easterly wind, a great quantity of fish will be caught in January. Knows that the fish have been injured in the Close Season up the river.

Charles Bastable, sworn.—Lives at Brickfields, and has been fishing these thirty-six years. Heard what the last witness stated in evidence, and agrees fully with all he said. Cannot tell how much he makes in the year, as he has not kept an account. There are four hands in his boat: one of them is his son, and the others are men with families. Fishes for Sprats and Herrings in their season: they come up as far as Tivoli Point. One season he got £33 one week, £28 the next, and £18 the next, for Sprats; but did not get more this year than £5 or £6 worth. Gets Herrings every Winter under Lota, Mr. Callaghan's place; takes them with seines, which he shoots without seeing the fish approach. Uses the Herring seines from Michaelmas to Christmas. In some parts they fish at low water, and in others half an hour before it. The Salmon fishery, for the last seven years, is much more valuable than the Herring or Sprat fishery. He occasionally caught Salmon in the Sprat net, but very seldom. Did not take one last year; and is well aware that it is illegal to use the Sprat net for the capture of Salmon. Never was prosecuted for taking a Salmon in a Sprat net. The Salmon fishers are badly able to support their families. The fish are destroyed above in the river. They make a shorter sweep with their nets now than formerly. The Salmon nets are about 100 yards in length, and the breadth of the river, in the narrowest parts, is less than 100 yards. The net is shot in a circle; if they were required to shorten it any thing, he would not fish at all, for it could never fish productively then.

Andrew Raines, sworn.—Is a fisherman these thirty-six years. Agrees in opinion with Moynahan and Bastable as to the spawning time and the periods of migration. Witness has two Sprat nets. It takes a much longer time to haul a Sprat than a Salmon net; and there is such a body of water, that if there were ten Salmon in the net, not one would be caught. The hauling of a Sprat net requires four times the length of time that it takes to draw a Salmon net. Besides his own two Sprat nets, he has a part in two others; and this has been the case these three years. Had that right in 1841. Cannot exactly tell how much he made by them. The year before last he made £50 or £60 with his Sprat nets, for his share, which was the half; the other £60 went to the men. Fished to the latter end of November, in 1842; and continued to the 14th October this year, by the permission of the Society.

To Mr. O'Brien.—Peal taken in the present mesh are not so valuable as those caught in the former mesh. The former bunts—Herring sized—took them without injuring them in any way; while the fish enter to the back fin in the large sized mesh, which makes them be not half so valuable. Thinks the fairest sized mesh would be two inches from knot to knot.

To Mr. Mulvany.—The June and July fish are from four to four and a half pounds, and some three and three and a half pounds weight. Has caught these with the two and a half inch mesh. The largest sized fish he ever got was nineteen pounds weight; but frequently got them from twelve to sixteen pounds. Does not think they were fish that had spawned. Great quantities of spent fish are killed. Knows that if the spents be taken, they cut off so many good Salmon which would return to them.

THE CARRIGALINE RIVER.

Mr. James Morgan, sworn.—Is not competent to answer any question as to breeding in this river. The season is such in this river, that they are allowed to take the fish when they cannot eat them, and they are not allowed to take them when they are fit for eating. Has a stake head weir on the river, exactly opposite Carrigaline church. It catches only on the ebb; does not think the fish could be taken on the flood. Some parts of the river are narrow, and some wide. The fish are very fine in October; he never got a bad fish in that month. Cannot say whether they have pea or milt then. There is no weir above him. His rights do not extend to the sea, and other persons fish with draught nets in the river. There is no part of his weir that is not dry at low water. Cannot tell the gross

APPENDIX, No. II.

The Lee.

Observance of the law.

Sprat nets.

Rent.

Best month.

September fish.

August and February compared.

January fish.

Sprats.

Produce.

Mode of fishing.

Length of net.

Sprat nets.

Produce.

Time of fishing.

Mesh.

Weight of fish.

The Carrigaline.

Stake weir.

October fish.

APPENDIX, No. II.

*The Carrigaline.*Value of fishery.
January fish.

Obstacles.

Protection.

Spawning.

Obstructions.

Spears, &c.

Observance of the
law.*The Shannon and Lee.*

Season.

The Shannon.

Increase.

Peal.

Mesh.

Stake nets.

Produce.

quantity of fish caught in his weir any year before the Act; it has not, however, been worth £10 a year. The good fish first come about the 1st July. Commenced fishing once or twice in January; but he found the fish taken then unfit for human food. Those who fish with nets also complain of the January fish. Before he got the weir into his own hands, his tenants were bound to give him one fish out of every twenty. Catches more in June and July than at any other time in the year; but a great deal depends on the weather. A great number of bad fish would be taken in this river in February and March, if fished in these months. Thinks it is the destruction of the Fry that causes the dearth of fish. There is a fall at Kilnahone, about three miles above Mr. Morgan's fishery. There is also a reef of rocks across the river. A strong current of the tide does not run on his weir. It is said that the only fish of this river are the Harvest fish. There are no Spring fish in it. There is great work about protection, but the river is not protected.

John Redding, sworn.—Knows the Carrigaline. The only part that is protected is that belonging to Mr. Roberts. He protects about a small mile of the river. The fish spawn in December and January; there is no spawning in November. There are two obstructions; one is a large rock that goes across the river at Kilnahone mills. There is a narrow passage and a fall at one side of this rock; and there the fish are gaffed easily, and in great quantities. The fall is about three and a half feet high. There is another mill on the opposite side, and they both belong to the same person. They are in the habit of stopping one mill, and opening the sluices of the other: this causes a current, and draws the fish along; and then, when they go into the mill race, a grating is put up, and the fish are caught. Saw the trap in this state on last Sunday three weeks, and on the same day that he was taken prisoner by Mr. Roberts, and his three rods seized. Thinks the fish, if not obstructed there, would spawn at the same time as in the Lee. The fish are also destroyed from that place down, with nets. Saw Mr. Morgan's weir; it is a cross weir, made of timber. The mills of Carrigaline destroy a great number of fish. They use sops, and spears, and gaffs, and every destructive implement on this river. The fishery, in fact, is not protected, and the law is not observed in the Carrigaline. Thinks that the best way to protect the Lee, and he knows it these forty years, would be to give the anglers a free passage of the river, and they will become the best protectors.

THE SHANNON AND LEE.

Christopher John Keays, esq., sworn.—Hears no complaints in the Shannon of the present season; and, for his part, he is quite satisfied with it. Great good has been done by the Shannon Commissioners by the removal of the Salmon and Eel weirs, and other obstructions. The net fishing near Limerick is greatly increasing. The obstacles were removed in 1839 and 1840, and since then there has been a most decided increase in the quantity of fish taken. The gross value of the fisheries has increased, and the fish much improved in size. He caught Peal, last Summer, eleven pounds weight. Is quite certain that they were Peal, as there is a marked distinction between them and Salmon; the tail of the former being forked, that of the latter flat. The scales come off the Peal; while they are firm on the Salmon; and the difference between them can also be easily known from the general appearance. Does not know any thing of the Upper Shannon, or the protection which exists upon it. In stake and fixed nets, the mesh at present fixed by law is suitable for the Shannon, but is unfit for the Lee, as the fish here are so much smaller. Has not used the bag net; has seen it used near Tarbert, but not so effectually as the stake net. A stake net will kill fish with the large sized mesh, which the draught net would not. His father has been connected with the fish trade, as an exporter of both the raw and the manufactured produce, since 1817. He himself was but a contractor till of late; he now holds fisheries on the Shannon under Lord Monteagle, the Knight of Glin, Leslie Minor, and Smith Barry. They embrace about a mile on the Clare shore, from near Money Point to Clonderlaw Bay; and on the south, from a mile the other side of Tarbert to Foynes, including a range of twelve or fourteen miles. Has eleven stake nets; pays rent for some of them; and is establishing fisheries. Has no objection to give a return of the quantities of raw and manufactured Salmon exported from the port of Cork by their establishment, for 1842, 1843, and 1844. The following is correct:—

1842.—EXPORTS, extending over a period of ten months.

		Salmon & Peal.	Gross lbs.
Raw salmon, iced,	3,811 boxes, containing	56,937	381,116
Manufactured,	3,529 kits,	15,744	102,347

Total, 72,681 483,463

1843.—EXPORTS, extending over a period of six months.

		Salmon.	Gross lbs.
Raw salmon, iced,	2,766 boxes, containing	38,980	276,651
Manufactured,	2,873 kits,	14,914	86,548

Total, 53,894 363,199

1844.—EXPORTS, extending over a period of six months.

		Salmon.	Gross lbs.
Raw salmon, iced,	2,330 boxes, containing	33,815	233,061
Manufactured,	2,449 kits,	11,665	69,966

Total, 45,480 303,027

The raw Salmon were exported in boxes of various sizes, but the calculation is made in Scotch boxes,—i. e. Scotch size. This return does not include some Blackwater fish,* sent from Youghal to Waterford, and exported from thence. It includes the Munster Salmon, from the Shannon, Lee, and Kerry rivers. Several other parties have exported as much as their house. Cannot tell how many other exporters there are. Purchases extensively, besides the produce of his own weirs. Most of the Limerick fish is sent to Dublin. There is no deficiency of ice; has an ice house; he imported a cargo of ice from Iceland in 1834, but has not imported any since. They send their fish to London, Liverpool, and Bristol; but chiefly to London. Pays the greatest amount of money for fish between the 15th April and the 15th May; but February has been a good month in the Lee and Kerry rivers. The export of Salmon from Cork has been increasing; but the means of fishing have not been used as extensively as they ought. He thinks that the means of fishing might be extended in Kerry, and round the coast of Cork, with advantage to the fisheries. Neither the Lee nor the estuary has at all attained its maximum value. They have a disinclination to purchase the Summer fish, because of its inferiority, and not wishing to interfere with the local supply. The whole estuary of the Lee yields a great deal more than £1,000 annually. Looking at the fisheries in a commercial point of view, he considers an uniform Close Time desirable, and calculated to bring the fisheries to their maximum value. Variableness of season has undoubtedly produced much mischief. Attributes the non-productiveness of the fisheries generally to the destruction of the fish, which has been so universal. It is necessary that sufficient time should be given to allow the river to be stocked. Fishing to a late period is necessarily calculated to produce lateness in the season of the river. Considers it better, in a general point of view, that the spent fish should be preserved; but, in a commercial light, if proper protection were extended, he thinks it would not be right to prevent persons in the estuary from taking the quantities of in-season Salmon which they have previously taken in February, notwithstanding the spent fish which would be killed at that time: and having read the Scotch evidence, and considering the climate of this country and Scotland, he would have the fishing season commence on the 1st February, but he has not made up his mind as to when the season should close. The Close Season, in Scotland, ceased on the 1st February, and he could not see why it should extend to the 12th in this country, in which there is a milder climate. The proportion of fish taken in the upper parts of rivers hitherto bore a very small proportion to that taken in the estuaries and tidal parts.

Mr. John O'Dowd, sworn.—Holds fisheries in the Carra, county Kerry, and in Brandon and Ballinskelligs Bays. All his fisheries are in the tideway. November is the principal month in the Carra for Spring fish; they are also caught in December, January, and all through till the month of May. The Spring fish caught in November are in the finest condition; the pea and milt not largely developed; and the number caught in that month is greater than at any other month in the year. The price then is from 1s. to 1s. 6d. During November and December the fish are also breeding in the Carra lake and upper part of the river. The spawning in the Carra is over about Christmas. The Carra and Maine flow into the same bay; and there is only a mile distance between them; and yet, when the Spring fish are had in great abundance in the Carra, there are very few caught in the Maine. Fishes in Brandon Bay with a bag-net; and when he first commenced he caught a long, lank, Eel-like description of Salmon; but he paid for the protection of the adjacent river; and the result was, that the quality and appearance of the fish became, in a couple of years, greatly improved. The river of which he has spoken is the Letteragh which runs down into Brandon Bay from Castlegregory. When he began to fish there was no such thing as a Spring fish there. The people used to say that the Salmon never ran till the corn was ripe; and the reason they had no early fish was, because the mother fish were destroyed; but the fish are now allowed to come down and go up, and the consequence is, that they have good Spring fish there. Fishes at the mouth of the Eenagh. This river is fourteen miles in length; there are mountain streams running into it, and it is a good spawning river. The fish begin to run up there in September, and that is the best month in the year. There was no protection on it heretofore. Has had it these three or four years; but only took it for one year and got no lease. Has applied for an Open Season on that river, from the 1st June to the 1st October; but if he had a lease he would not adhere to that demand; because by preserving the river he would have an early season. If he had it an early river he would like to commence as early as was consistent with a due regard to the improvement of fishery. An early fishery is always better than a Summer one. The Eenagh runs into the same bay as the Curraan; there should, therefore, be the same season for both; for, he did not think it right that rivers, running into the same estuary, should have different seasons. Before he would form an opinion as to the most suitable season for all Ireland, he would like to visit those rivers which were exempted by the old law. Thinks it is in the power of man to alter the seasons of the fish. He is twelve years living near the Carra, and he never saw a fish out of season, taken in November, December, January, and February.

James Butler, jun., esq., sworn.—His father is the proprietor of the Curraan fishery. The river runs into Ballinskelligs Bay, it is very short, and fished entirely by a weir half way between the lake and the sea. Before the late Act, fishing used to commence on the 1st January; and the fish in that month were excellent. There were more fish taken in February than January; and the run ceased about May. They catch very few Spring Salmon after May. They always ceased fishing on the 12th August; but seldom caught

APPENDIX, No. II.

The Shannon and Lee.

Markets.

April, May, and
February fish.
Increase.
Means of fishing.

Gross produce.

Uniform season
desirable.

Season.

The Carra fishery.

November fish.

Brandon Bay fishery.

Benefit of protection.
The Letteragh.

The Eenagh.

Season.

Early fishery.

The seasons of the
fish can be altered.

The Curraan.

Mode of fishing.

Run of fish.

* For which see page 70.

APPENDIX, No. II.

The Curraan.

Advantages of protection.

General season not advantageous.

Best months.

Change in season may be effected.

The Glanmire river.

October fish.

Spawning.

Increase.

Destruction.

Blackrock fishery.

Number of nets.

Produce.

No. 1.—Letter from Wm. Crooke, esq., to Wm. T. Mulvany, esq.

No. 1.—LETTER OF WM. CROOKE, Esq., to WM. T. MULVANY, Esq.

Durreen, Coachford, November 26, 1844.

SIR,—As I was unable to remain in town long enough yesterday to be examined before you on the Fishery Inquiry, I take the liberty of submitting my views to you on the subject, more particularly as I heard several gentlemen around me, while in court, make observations, not borne out by facts; and which, if acted upon, would frustrate the intentions of the Legislature, and keep alive the ignorance that exists on this important question. Before I read Mr. Shaw's book, or your statements on it in the newspapers, I was long convinced, from my own experience, that Salmon Fry were not of such a rapid growth as was generally believed. I have killed a Salmon full of pea on the 17th of March. I have seen quantities of Fry killed by boys the same day. A flood in the river took place in three weeks after, and not a Fry was seen for the rest of that season. It occurred to me, then, (many previous years ago,) that if I had not killed that fish, it would have been impossible for the pea to have arrived at such maturity as to become fish four inches long in three weeks. Several similar facts of late spawning and early return of the Fry have convinced me on this subject. I have strong doubts whether the Peal that come up the river early in June, are the Fry that descended in April or May, but can offer no proof; reasoning by analogy, I should say they are not; at least it is very surprising, and I think contrary to the laws of nature, that a fish which takes eighteen months to arrive at a length of four inches, and a weight under two ounces, should, in the short period of eight or ten weeks, reach eighteen inches in length, and a weight generally of three to four pounds. I have frequently (before the passing of the late Act) put them into a fine pond or lake in my demense, taken just after their return to the sea. They have continued to grow in fine condition and perfect shape till September, when they were about full Herring size, after which time they pine away, and grow unshapely for want of salt water. I believe the Spring fish to be the Peal of the last year—the breeders, the Spring fish of last year; and that Salmon, from their various sizes, are a long lived fish. I killed one on the Lee, forty-four pounds weight. With respect to the seasons, I hope, Sir, you will see the absolute necessity in this, the infancy of the experiment, of giving the fullest protection to the breeding fish; without this, we shall have no real abundance in either salt or fresh water. It would be better to have real good fishing even for three months, than bad fishing for nine. The months in which breeding fish at present run, are, in this river, from the 1st September to the 1st March. Any curtailment of this period will cause the destruction of numbers of the breeders. Indeed, if it could be

much Salmon in that month. Is not aware whether the fish are on the spawning beds in January. The Spring fish have increased ten-fold, owing to the protection of the river. Does not know why they have early fish there, and none in the Ecnagh, which is only two miles distant. It may perhaps arise from the lakes and the constant supply of water which is in the Curraan. Never heard of fish spawning in that river before the 1st November; the spawning beds are above and below the lake. He considers that a general season for all Ireland would not be advantageous. During the inquiry at Bandon, Mr. Meade told him that the spawning commenced earlier in the Bandon river, in consequence of the Close Season having been observed. January and February are the two best months at his weir; the take is then considerable; but people fishing outside almost extinguished the Summer fishery. Thinks a uniform season desirable, if practicable; but considers a difference necessary for the purpose of reaping all the advantages of the fisheries. Persons should be permitted to fish early, where they have early fish, because it would be a pity to lose them when they go up early. Is not yet convinced that a late fishery can become a Spring one; but admits that a change of a month or six weeks may be effected. The best fish in the year are caught in the Curraan in January; and his father would lose £70 or £80 a-year by not being allowed to fish on the 1st January.

Mr. O'Dowd said his opinion was, that the fish do not spawn for twelve months after they go up.

Mr. Keays remarked that some years since, he saw, on the 24th December, 153 fish taken in Mr. Foley's weir on the Carra; and out of that number there were but nine or eleven unfit to keep; and these were returned to the water.

Thomas Biggs Lane, esq., sworn.—Is acquainted with the Glanmire river, up which the fish do not run till Harvest. The best fish are caught in October; the pea is then very small, and the fish is in excellent season. There is no fishery in the Glanmire. Spawning commences in the middle of November. The breeding fish remain in the river till February, and then go down in the first floods. There are a great many spawning beds in it, and during the last two years, there has been a great increase of fish in this river. Some persons fish near the mouth, and there is no prevention to fishing in the river, provided the persons wishing to do so subscribe towards the protection. There are no nets on the river; there was one last year, but it was seized. There is no prevention to fishing as far up as Glanmire bridge. The destruction of the fish by burning is very great. Three miles of the river were burnt the day of a conviction at petty sessions for chasing Salmon in the Close Time on the spawning beds, with attempt to kill. There are no Spring fish in this river lately, but there formerly were.

Michael Crinnion, sworn.—Is a fisherman at Blackrock these eighteen years. There are twenty-four nets there, and four men to each net. Fishes about an hour before and after low water. The ground there is rocky. He does not cast his net the same way for Sprats as for Salmon. Heard the evidence of the Brickfields men, and quite agrees with all they said. In 1841 he made £13 in three months, February, March, and April; and in 1840 twice as much. 1840 was an excellent year; his return from Mr. Keays was £40 that year; can only fish for two hours. The fish are at present scarce, and they must, therefore, be destroyed somewhere.

extended to the 1st of April it would be a great advantage in allowing the poor things plenty of time to get back to the sea. In some time, perhaps, when, as you have said, the fish have acquired earlier habits, the end of the Close Season may, perhaps, be changed back to the 12th February, as it is at present.

Having been, for thirty years, a persevering angler, with a single rod, and perceiving that you take an interest in this matter far beyond what others would consider a discharge of mere official duty, I have taken the liberty of troubling you with these remarks, and

Have the honour to be, Sir, your obedient servant,

Wm. T. Mulvany, Esq.,
Inspector of Fisheries, Cork.

WM. CROOKE.

APPENDIX, No. II.

The Lee.

No. 1.—Letter from
Wm. Crooke, esq.,
to Wm. T. Mulvany,
esq.

No. 2.—LETTER from E. WEBBER, Esq., to WM. T. MULVANY, Esq.

Corn Exchange, Cork, December 9th, 1844.

No. 2.—Letter from
E. Webber, esq., to
Wm. T. Mulvany,
esq.

SIR,—An application being made to me, either to get my father or myself to give information before you on the fishing investigation held by you in Cork, but not wishing to annoy my father in his 91st year, and my official duties requiring attendance at my office, I declined, but promised, if necessary, to give a written statement of my practical knowledge of Salmon, &c., in the Lee.

For the last sixteen years we have had nothing to do with fisheries, but up to that period, since my father was a young man, he successively held three of the Salmon weirs on the river (Frier's Weirs and Pools, commonly called "Clark's Marsh Fishery," "Sunday's Well Weirs" and "Gil Abbey," the latter from 1797 to 1828.) Gil Abbey being one for Salmon, Trout, and Eels, requiring nets called Moochers (bag nets on frames which fitted to the down stream post of one of the hatches) for taking the returning Salmon, Eels, and Trout, and having a large trap pond for keeping the spent Salmon in for good markets, was peculiarly adapted for giving correct knowledge of the times and seasons, and general history of those fish, the Moochers being used, through the year, told what was coming down, and the hatches what was going up; and every part of the pond being commanded by the eye, and close to our dwelling-house, we were afforded an object of very interesting and amusing study in the habits, food, &c. of the Salmon. My brothers were also first-rate anglers, and knew the river, with all its tributaries, from Macroom down. We were, therefore, in a position to correct many absurd theories on Salmon, &c. My father also, in former years, kept Salmon, Herring, and Sprat nets down the river, and his men fished as low down as Horsehead (the entrance of Lough Mahon.)

Having, therefore, such information and experience, I think it right, as a member of society, to give you such facts as I can vouch for, seeing the more than official anxiety which you evince to promote the public good: I would have done so sooner but for a domestic affliction.

The breeding Salmon begin to move up the river from the sea in August (the Peal yet running). They are in full run the end of September, winds and freshes answering. In all my remarks on the run of Salmon, early, late, or in full seasons, they are contingent on winds and freshes—the winds to bring the fish into the harbour, and the floods to bring them ahead; for if the harbour was full of Salmon, twelve hours of a south-east gale would draw them all out, and, *vice versa*, a north-west gale would bring them in, and more or less the connecting points each way. Up to the 1st October they are prime, with but small peas. They run in abundance through October, November, December, and January. From the end of October the ova are largely developed, and become loose in the fish. In November they commence ridging (a very few occasionally in the end of October) and as they successively arrive in the river, they do so till the middle of February. The earliest Fry we caught at Gil Abbey was in the first week of March, and that was the signal for us to discontinue the Trout and Eel Moocher, and substitute the Salmon one. The bulk of the Fry come down in April and May, and, if freshes answer, are out of the river before June.

The Spring fish begin to show themselves early in January, and are plenty in February, March, April, and part of May. The Peal then come in plenty, and continue till the Harvest fish (called by the poor fishermen "Blackberry fish," but which are early breeding fish) supply their places.

The spent Salmon returning, the Spring fish and Peal, which went up the former Spring and Summer, begin to come down in January, and they are as bright as silver, the Spring only discernible from the Peal by their length; if freshes come, they are all down by the 1st March. About the end of January the weak spent breeders begin to drop down, and, contingent on freshes, all the spents are out of the river by the 1st May. If any of these fish are kept from going to the sea, they become reduced to the appearance of large Eels, and die in July or August. We tried the experiment some years back (the weather aiding us, no flood having come through May, June, or July.) We kept two very fine fish behind the weirs—the pond being open, they had their liberty for a quarter of a mile of the river; at first they strove to hide in deep water, but as the season advanced, and they began to sicken and fall away, they showed less fear, and for a month before death used to come down the scour behind the weirs, and try the gratings of the hatches that we stood on, and that repeatedly every day, as if in mental anxiety to get through, to go to their proper element at that season.

Notwithstanding all the experiments (which, as Mr. Foley ironically remarked, might end in producing crocodiles) I assert, that if the Fry are detained in the fresh water of the Lee, they die in the same way in the end of Harvest; and I further assert, that the Fry which come out of the beds in Spring, come down and go to the sea immediately, if they have water to bring them. In the first place, the Winter in which most breeding fish went up, produced a corresponding increase of Fry in the Spring; and, as very often happened, when but comparatively few breeders got up, the Fry were few. More, I defy any judge to say, that through long dry Summers, when nothing could be hid in the Lee, Fry ever so small was seen after June, except (to follow M. Foley's irony) they turned into Eels, and hid in the sand; and even then their bulk would be so great, that in angling we would tread them out in every step we would give. As to the idea that Gravelling are Fry, it is absurd to any experienced person. They are a distinct species—there are two kinds of them, the white and the brown, and both come from the sea. The white are going up in March, and to an inexperienced eye would pass as Salmon Fry. They do not scale nor have they the bluish tinge on the back as the Fry; they are very rich and fine flavoured when dressed. The brown are to be found running at all seasons up the river,

APPENDIX, No. II.

The Lee.

No. 2.—Letter from
E. Webber, esq., to
Wm. T. Mulvany,
esq.

and when caught on the hook of the angler in Spring, will frequently discharge their milt to his annoyance on a good coat or trowsers. But admitting that Graveling are Fry, the whole which are to be found up the Lee would not number one for every 10,000 Salmon Fry which come down in a year.

About thirty-two years back, a fair wind and a flood being concurrent, there was a great run of fish the week before Christmas; they were very loose in pea, and many commenced at once to ridge on our rivers (Gil Abbey's right of river extended from the back of Clark's marsh weirs to the end of (back) Sunday's Well weirs on the south branch of the Lee) below our weirs. In the end of March, the water being then very low, one of my brothers went out to the nearest bed, and having carefully opened with one hand the down stream end of the ridge, dipped up in a basin some of the spawn. The little black eyes were perfectly visible through the skin of the pea; and on being taken in the fingers, the embryo fish spun round in its house quite alive. We carefully opened some of them under a microscope, and found perfect fish; the flat of the tail curved round to meet the side of the nose. In a week after he did the same, and dipped up perfect Fry about at most an inch long; several with the skin of the pea hanging to the vent, but most of them quite disengaged from it. They were quite transparent, and swam merrily in the basin; they continued alive in a decanter for several days, but they were then let go in an eddy of the river. In three weeks after he went again, and found nothing in any of the beds comeatable but the skins of the pea. We looked the river closely for several days after, and could make out nothing more than the regular skulls of Fry, constantly coming down the river, and passing off to the salt water, which they certainly commence to do on coming out of the spawning beds.

It is reasonable that the early fish up produce the early Fry; but my father says, that within the compass of nearly eighty years (angler and holder of fisheries) the earliest Fry caught was near the close of February, at a time when the weirs on the Lee were not half their present height; and there were but three Salmon nets at Blackrock when Salmon went up the Lee in thousands. I am therefore borne out, that very few fish ridge before November, and as comparatively few ridge after the first week in February; I think 1st October to 12th February would be very ample Close Time for the fisheries in the tideway; but though I would not prevent anglers single fishing from that day, yet I would prevent nets beyond the tideway till the 1st May, to allow all the spents to come down (the largest and primest fish remain up longest); for let the Act be ever so stringent, it is astonishing to see the ignorance that exists in distinguishing between a good recovered spent and a Spring fish. "All's fish that comes to the net." What the anglers would catch single fishing would not be a straw in the balance; and as there are no stake weirs in the tideway, and the nature of the spents is to go off to sea at once, the nets below cannot do much harm. This leads me to speak of anglers. The banks of the Lee were always free; but a most injudicious, and I think illegal attempt was made since the passing of the Act to prevent angling. If successful, the peasant angler, instead of spending his leisure time in innocent recreation, would be driven to the shebeen house to brood over the injustice and plan acts of revenge; and the Cork angler would shut his eyes on any breach of the Act in the tideway. Anglers, I say, would be some of the most efficient water-bailiffs. I can the more freely say so, as my official duties do not allow me to take a single day in the year, and my brothers are in the New World.

There are two great obstructions in the Lee—Carrig-a-drohid, and the Powder Mills weirs; they require heavy floods to take the fish over. In the weekly openings of the weirs, &c., if such floods are not in the river, the fish are all stopped by Carrig-a-drohid, and swept off by net on Mondays.

I could give some curious facts of the sleeping, food, hiding, &c., of the Salmon, and I was witness to as severe a battle as game cocks used (thanks to the Legislature) to fight, between two very large brown Trout. They fought on the top of the water under my own eye, and all my family, and over forty strangers, for twenty minutes; and one of my brothers saw them much longer. They bit and cut each other very severely in the covering of the gills and pectoral fins, so as distinctly to draw blood, and fought until they were unable to support themselves longer in the water.

As to the Fry going down coming up Peel the same Summer, I am very sceptical. I have known the Fry to go down some years in incredible numbers, and yet comparatively very few Peel came up, and *vice versa*; and when my father held the lower (Clark's Marsh) fishery, he has frequently seen skulls of Fry brought back by strong spring tides a fortnight after they had all come down from the fresh water, without any visible change in size; and as to their spawning, it is out of all reason.

It is very reasonable that the question should be asked, why the holder of a fishery should act so suicidal a part as to destroy the spents? The answer is, Gill Abbey's value lay principally in the take of the spents; and if my father did not take that fishery another would. Such is the force of circumstances, that at times people do what their judgment would condemn under other circumstances.

In laying before you the foregoing hasty rambling sketch, I do not presume to arrogate to myself any knowledge beyond what any intelligent person might acquire under similar circumstances.

Trusting that you will excuse the liberty I have thus taken, I beg leave to subscribe myself, with the greatest respect,

Wm. T. Mulvany, esq.

Your most obedient humble servant,

E. WEBBER.

No. 3.—Letter from
Lewis Gollock, esq., to
Wm. T. Mulvany,
esq.

No. 3.—LETTER from LEWIS GOLLOCK, Esq. to WM. T. MULVANY, Esq.

Coachford, Classas, November 27, 1844.

DEAR SIR,—I stated in my evidence before you and Mr. Barry in Cork, on Monday last, that the river Lee and its tributaries were about ninety miles. On reflection afterwards I find I was much below the mark. I send herewith a very rude sketch of the Lee and its tributaries from Inniscarra bridge to the source. From Inniscarra to Cork there is only the Blarney river at the north, and a very insignificant stream at the south side discharging into the Lee. My knowledge of the Blarney and the other small rivers united with it is too imperfect to attempt a delineation of them; indeed, what I do send does not pretend to anything like geographical accuracy. I merely drew it from an intimate acquaintance with every part of it, without any guide as to measurements, for the purpose of showing of what importance the Lee and its smaller rivers might become to the Salmon fishery if properly attended to. A glance at the tracings of the Ordnance surveyors will show that I am not too much in error, not to be relied on in some degree.

I would now wish to call your attention to a matter given in evidence to induce you to recommend an alteration in the spans of the upright bars in the weirs.

John Murphy said he pushed a seven pound Spring fish through the bars.

Edmund Murphy pushed a six pound fish through.

Daniel Walsh said they *would* go through. You afterwards had evidence of the number of fish taken in the month of February, both at the weirs and by the net fishermen, and the weight of the fish in each place.

	Fish.	lbs.	Average Weight.
Net fishers,	461	3,344	$7\frac{1}{4}$ and 7 lb. over.
Weirs,	432	3,169	7 " 5 " "

Showing that though they complained that the span between the bars was too great, that the fish caught were less in size than those taken by the nets. Besides this, where we know that many Spring fish run to ten, twelve, and fourteen pounds, and a few over that weight, it is evident that many much smaller fish than six pounds must have been caught both in weirs and nets. I am induced to make these remarks to you, by seeing the anxiety you evince to do anything to promote the general benefit to be derived from Salmon fisheries.

I do not remember that the persons producing the statements of fish caught, swore that they were accurate extracts from the books kept. Why were not *the books* produced?

I have been informed that a quantity of the spawning fish taken last year (and possibly former years) were sold to bacon shops, and then sold pickled or dried as part of the take of the previous Open Season.

This might be checked by requiring the holders of such salted Salmon to have them marked at the commencement of each Close Season.

I am, Sir, your very obedient servant,

Wm. T. Mulvany, esq.,
Inspector of Irish Fisheries.

LEWIS GOLLOCK.

Tributaries referred to in the above Letter.

River Lee nearly 50 miles, about 39 of road measure,	50 miles.
Sullane,	12 to 14
Laney,	8 to 10
Foherish,	8
Bonnay,	4
Bride,	14
Two small Tributaries to Laney,	9
Glashagarran,	$2\frac{1}{2}$
Forest River,	$2\frac{1}{2}$
Dripsey,	8
Delahana,	3
Small River to Kerry bounds	3 to 4
	<hr/> 124 miles. <hr/>

Besides the Blarney and its tributaries, of which I have very little knowledge.

NO. 4.—LETTER FROM WM. CLEAR, Esq., to J. R. BARRY, Esq.

Cork, December, 1844.

DEAR SIR,—Very considerable apprehensions have been excited in the minds of the corn millers of this county, by some resolutions adopted at a meeting of gentlemen interested in the amendment of the present fishery laws, held here on the 20th October.

Such of these resolutions as relate to mills, are deemed to be highly objectionable; and, if enforced by law, would have a direct tendency to reduce their working powers, and thereby lessen, to a very considerable extent, the value of these establishments.

One of the proposed resolutions requires that the waste sluices should be opened for twenty-four hours between Saturday evening and Sunday; but every practical miller must know, that by such a regulation many hours would be lost on Monday before a sufficient head of water could be obtained to enable the mill to resume work, and in dry seasons, when frequent pondings are required, it would be particularly injurious.

Again, powers of a very arbitrary nature are sought to be entrusted to water-bailiffs, authorizing a system of espionage on private property and intrusion of a most offensive character, and which may be used at the caprice of over-zealous, ignorant, or interested parties, to the great annoyance and loss of mill owners, without their having the power of obtaining effectual redress. There are several other objectionable regulations proposed of a minor character.

When the present fishery laws were before Parliament, many restrictions were imposed on mill owners, and enforced under heavy penalties; and the few protective clauses then conceded to them were introduced after a most minute and searching investigation, and were deemed absolutely necessary for the efficient working of their concerns; of these protections it is now sought to deprive them.

It certainly cannot be the wish of the Legislature that impediments should be placed in the way of any of our domestic manufactures. The millers of Ireland have embarked large capitals in their establishments, and afford much employment to a needy population, and deserve encouragement rather than annoyance; but it frequently happens that in promoting some favourite measure, regulations are introduced which, without so intending, have an injurious bearing on others. It is not, however, probable that in the amendment of the fishery laws, any regulations will be introduced that are not sanctioned by the Commissioners; and it is therefore that I trouble you with the foregoing observations, that your attention may be directed to the subject.

APPENDIX, No. II.

The Lec.

No. 4.—Letter from
Wm. Clear, esq., to
J. R. Barry, esq.

If you have any suggestions to make, I shall feel much obliged by your communicating them, and also your opinion whether it may be necessary for the millers to memorial the Lord Lieutenant, or present petitions to Parliament. I trust you will excuse the liberty, and believe me

Yours very truly,

WM. CLEAR.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at CAPPOQUIN,
COUNTY WATERFORD, THURSDAY, NOVEMBER 28, 1844.

SUBJECT OF INQUIRY.—THE RIVERS BLACKWATER, BRIDE, AND ALL THEIR TRIBUTARIES,
THE FISHERIES OF YOUGHAL HARBOUR, AND OF THE ENTIRE COAST AND ALL THE
RIVERS TERMINATING THEREON BETWEEN BALLYCOTTON, COUNTY OF CORK, AND
BALLYVOILE HEAD, COUNTY OF WATERFORD.

THE BLACKWATER.

<i>The Blackwater.</i>	<i>John Dillon Croker, esq., sworn.</i> —Is secretary to the Blackwater Fishery Association. Is particularly acquainted with the Blackwater river; and would wish to give evidence of all the upper part of it, and its several tributaries from the source to Cappoquin. The principal spawning rivers branching from the Blackwater, are the Funchion, the Awbeg, the Clydagh, which branches into two or three rivers; the Glen, the Owla, and the Dowla, which join at Kanturk, and several other smaller tributaries. There are extensive spawning grounds, in the Blackwater itself. They begin a few miles below Mallow; and lie profusely thence to the source. The time of spawning in the Clydagh and in the Main Trunk is the same. In his vicinity, the fish begin to spawn the first week in November; he never knew the spawning to commence earlier than that time. The great bulk spawn in December and January; and the very heavy fish from the week before Christmas to the middle of January. The two-thirds spawn from the middle of December to the middle of January, and the one-third thence forward; but it all depends on the floods to take the fish over the mill-weirs. Believes that Parr are the young Salmon. A number of Graveling got into his pond on one occasion, and the next year it was alive with Salmon Fry. Saw Parr in as great quantities as Fry; but he believes they do not congregate until they are about to descend to the sea. The Clydagh is a very good spawning river. The obstructions below Mallow are the Glandelane, and the Fermoy Mill weirs; these two weirs effectually obstruct the passage of the fish, except in floods. The fishing weir at Lismore, at which he has heard the weekly Close Time is not observed, also impedes the passage of the fish. The spents of November's spawning go down in the first floods in January and February; the great bulk descend in February and March; they are also going down in April and May, and an odd one—"a recruit," remains in the river the whole year. The Fry are in the river in March, and they congregate in great numbers in April. They go down in that month; and they are all away towards the end of May. They are some time in the river before they collect in shoals; he has seen millions of them at the Quartertown Mills in April. There was a Close Time on this river by law before the late Act, but it was never observed. The first time they began to observe and enforce the Close Time was in 1842, immediately after the passing of the Act. The Close Time was observed and enforced in 1842 as strictly as possible; but want of funds checked the proceedings of their society, and prevented them from doing as much as was required. The enforcement of the Close Time commenced on the 10th September, 1842; and hundreds of fish were then saved, as the Parr in the river afterwards testified. The Close Time in 1843 was not observed as it should have been; and at present they have not funds to enable them to enforce the observance of the law. There were three prosecutions in Mallow last week, under the Fishery Act; but the fines imposed were so small that they were not calculated to act as a check to the violation of the law. The weirs of Glandelane remain still an obstruction to the passage of the fish. They cannot get over it except in floods; and he has heard that in consequence of the addition of new coping-stone the difficulty of passage has been increased. Angling is the only mode of fishing pursued in the upper part of the river. Previous to the late Act it would be a wonder if one good fish were caught in the upper part of the river once in seven years; but in 1843 they had very good fishing; there was no fishing, however, last year: he has seen four or five Salmon killed in one day on his demesne with a single rod. Lights and spears have been extensively used since the late Act; their use was <i>general</i> before, because gentlemen had no interest in protection. The Association had, the Winter before last, thirty or forty bailiffs on the river, between Kanturk and Glandelane. There is a mill dam on the Funchion, which obstructs the passage of the fish. There have been fewer fish in that river this year than usual, but this arose from the want of water. There are two mill dams on the Awbeg, which are also obstructions to the migration of the fish. Did not see any good fish killed in 1843, until the end of March, and in April and May; heard that some were observed in February, but he did not see any in that month. There was some rain that year, and sufficient floods to carry them over the obstacles. Thinks that the new fish get over the weirs more easily than the spawning fish, heavy in pea in October and November. In 1843 there was an odd Peal in June and July. August is the best month for Peal; they are then of a clear bright colour. Saw in that month as good and as bright Salmon at Quartertown, thirty-
Tributary.	
Spawning rivers.	
Spawning.	
Parr.	
Obstructions.	
Migration.	
Close season.	
Penalties.	
Obstructions.	
Comparative supply.	
Protection.	
Obstruction.	
Peal.	

five miles hence, as he ever saw in the tideway. In the latter end of August, provided there be a late flood, the great bulk of the fish are silvery there. The Harvest spawning fish come up in the first floods in September. The fish have very small pea and milt in August, and are then in fine condition. The pea and milt are getting large at the latter end of August and September. Great numbers of the fish that went up in 1843 were killed with the rods; a considerable quantity was also killed by poaching. Does not know any thing of the spawning time in the remote tributaries. Cannot tell the value of the produce by angling; it was *nothing* before the Act. A man could not kill £10 worth of good fish in the entire upper part of the river before the passing of the late Act. Before the Glandeline weirs were built, he heard of a hundred fish being taken in a haul at Quartertown, and of people killing the fish with hammers. Saw fish spawning in great numbers on the 3d March last, above Mallow Bridge. There is an opinion that cock fish go up before the hens. There is no obstruction, to his knowledge, on the tributaries above Mallow, except a mill weir at Kanturk. The spents go down at every period of the year. Does not know whether the fish he has seen spawning in March were the spents of the preceding year, which had been prevented from going down till June or July. Heard that the lessee of the Duke of Devonshire's weir employed water-bailiffs as high as Glandelane, and some above that; but they were improper persons, who did not do their duty. Thinks it would be advantageous to have the Close Season extend to a later period in the Spring, because more spawning fish would be killed from February to March than from August to October. Would have the Open Season commence on the 1st March, and end on the 1st October. Knows nothing of the value and quantity of the fish caught in the estuary before March. Admits that this should be taken into account in determining the Close Season. Thinks that if the season he has mentioned were fixed, the interest created in the upper proprietors would make the change advantageous to the lower people in the end; and would more than compensate them for the loss of the early and more valuable fish. Such a season would be for the interests of all. If the early breeding fish were killed, that is, the fish up to the 1st November, the breeding would become later; but unless they fish with nets in the higher parts, they cannot kill all the good fish that go up to the end of the Open Season. Taking into consideration the interests of the upper and lower proprietors, considering both the estuary and the river, and with a view to raising the fisheries to their maximum value, he would close the season up to the 1st March, and fish from that time to the 1st October. Has seen fish of ten or twelve pounds weight spawning in November. Peal spawn in the early part of that month. Saw a Peal of not four pounds spawning with a Salmon of nine pounds on the scour together. The fish which get up early spawn first. They had no fish up the river this year.

Mr. Stewart observed that the dry weather was the cause of the decrease this year.

Witness.—There was one occasion on which the Lismore Salmon weirs were not opened on the weekly Close Time; and he wished to know whether, in case the weir could not be opened on Saturday, it should not be opened if the floods fell within thirty-six hours?

Mr. Foley stated that the flood, on that occasion, went over the weir, but the "cause of prevention" did not cease; and, if it had, he would have been bound to open the weir.

Witness, to Mr. Curry.—Cannot undertake to say whether, if the impediments at Glandelane and Fermoy were removed, the fish would not spawn earlier, and return earlier to the sea. Confines his observations, as to there being no Close Time observed before the Act, to the part of the river in his own vicinity. He took no notice of what was done below or about the Duke of Devonshire's estate.

To Mr. Keays.—Did not sanction the destruction of the fish before the late Act; but looked on with indifference, as he had no interest in protection. Received £40 from the Duke of Devonshire, and £5 from Sir Richard Musgrave, towards getting a passage over the weir at Fermoy. The money was lodged in the Bank, but they got no further co-operation.

Michael Fitzpatrick, sworn.—Is seventy-eight years old, and knows the upper part of the river to the place from which it springs. Was a fisherman about fifty years. Knows the Blackwater from its source to Youghal. Has seen the fish spawning; they begin on the 10th or 12th November. The weight of them spawn from the middle of December to the latter end of February. He has seen hundreds of them on the beds in February. A Close Season was observed before this Act. Colonel Wrixon always kept a water-bailiff to protect the river. Before the new Act they had twenty times as much fish up the river as they had since.* Was formerly employed at the weirs of Lismore. The first run of Spring fish at the weirs was at the latter end of February; they caught some in the beginning of that month, and along with them some full fish going up to spawn. This was fifty years ago. They had the greatest run of Spring fish from the 17th March to the middle of May. The run of Salmon then decreased, and the Peal came in at the latter end of June. The fish begin to spawn first in the tributaries; but he cannot tell how much sooner in the branches than in the main trunk of the river. The fish spawn in the small rivers so late as the 1st February. The spents begin to run down at Mallow in March, and the Fry at the latter end of May, and in June. He never saw the Fry coming down in March. The fisheries up the river are now ten times less than they were formerly.

* This witness was very deaf, and did not appear to understand the question to which he gave this reply. The question put referred to the time immediately preceding the Act; whereas, in my opinion, he spoke of a far distant period.—REPORTER.

APPENDIX, No. II.

The Blackwater.

Angling before late Act.

Season desired.

Passes over weirs.

Spawning.

Spring fish.

Migration.

APPENDIX, No. II.

*The Blackwater.*Tributaries.
Spawning.

Peal.

Migration.

Gravelling.

Comparative
produce.

Spawning.

Migration.

Spawning places.

Protection.

Operation of the law.

Gravelling.

James Hendly, sworn.—Lives near Kilworth, and knows the Arraglin, the Funchion, and the Blackwater, above Glandelane. Before the passing of the late Act there was no uniform run of fish above Glandelane until a late period of the year. Never saw what is called a "run of fish" until November. Is a fisherman, and frequently saw the Salmon spawn. The Funchion is a good spawning river; but there are more fish killed in it than are allowed to spawn. The breeding fish go up that river about the 1st November. In 1843 they went up earlier—on the 20th September—and they spawned earlier that year. The usual time of spawning is December; the great bulk spawn in the latter end of that month. This is also the case in the Blackwater. The red Peal spawn a great deal sooner than the heavy fish that come up after. The Peal, in the latter end of September, are red and black. They become reddish in the early part of September; their pea and milt are larger a great deal than in the Spring fish, and the vent is then very large. The spawning ceases in the Funchion in February; and only an odd one spawns in that month. The Peal are, most certainly, the young Salmon, and are as good for breeding as the heavy fish. Saw heavy fish go up in November in the Funchion; they were then greyish, and clear under the gills. These fish spawn in December. If there be frost, they spawn sooner than in soft weather. The Fry first begin to run down in March; he has seen an odd dwindled one in this river till May. He saw Fry, two ounces weight, in March and the latter end of February. The early Fry are the produce of the early spawning. In 1843, saw 300 spents at Mr. Corban's mill, in March, waiting for a flood. This mill would be an advantage to the fish if they were protected there. The Fry return as Peal in two months after their descent. Big-bellied fish go up the Blackwater at the latter end of September. The spawning time is the same as in the Funchion; but it ceases later in the Blackwater. After spawning, the fish fall back into the deep water. When fish first come up, they go into the "sharps." A Slat is seldom found in the strong stream. He thinks the Fry come to perfection immediately after being spawned. Is not of opinion that Gravelling are of the Salmon species. He supposes them to be mules, as they are never found with any thing except milt. Heard of experiments being made with the eggs of the Salmon, but he does not believe them. Mr. Shaw does not shake his faith. There has been a greater run of Spring fish since the passing of the Act than before. It was greater in 1843 than in 1844. In 1843 the Spring fish ran up in great abundance at the close of February, and in March. Before the late Act the fishery above Glandelane was of very little value. Fry would come down sooner if there were a passage over the weirs. The Fermoy weir is a greater obstruction than the Glandelane weir. Witness thinks that the Fry come down with sufficient facility over the Glandelane weir, but thousands of spents are stopped there.

Mr. Robert Swaine, sworn.—Knows the upper part of the river in the neighbourhood of Kanturk. Is best acquainted with that part, as he has fished it for many years, and observed the habits of the fish there. The fish first spawn in the first week of November; but this year he saw a fish after spawning in the month of October: this was in the Alla or Kanturk river. The great bulk of the fish spawn in December; but there is a great number just now on the scours. He thinks that this was also the case before the Act. Never saw spawning in the Kanturk later than January, but saw five fish spawning at the Blackwater bridge, two miles from Kanturk, on the 17th March, last year. Is quite convinced that they were spawning. The small fish spawn early, but the heavy fish spawn in February and March. The Fry commence to run down at Kanturk about the 20th April. They congregate before that time, but do not go down to the sea till then. At one mill sixty or seventy dozen of Fry used to be each man's share for one night's destruction. The fish that spawn first are those that are longest in the river. The pea is not developed in the fish till the middle of September; the vent then becomes large. There are five rivers running into the Kanturk. There are twenty-two tributaries, and eighty miles of spawning rivers in his neighbourhood. The light fish run up to the sources of these, and the fish spawn there much earlier than in the Blackwater. In 1843 they had a good run of Spring fish in March at Kanturk, but the greatest quantity came in May. The first run of Spring fish in the main river is about the latter end of March. The spents pass down at Kanturk in great quantities about the middle of March; they begin to descend in February, and leave the tributaries in the beginning of that month. He has killed spents in May. The great bulk of the fish spawn in the tributaries and high parts of the river. The large fish spawn in the main river; the small ones ascend higher, and spawn in the tributaries. The large fish do not go beyond Millstreet. The Peal which go up in May change their colour in the latter part of August. There is a local society for the protection of the fishery; and they have succeeded to a great extent in suppressing poaching. They had thirty-three convictions last year for offences committed in the Close Time. Witness believes that they saved some thousands of spawning fish by the protection they extended. In the cases of convictions the magistrates were indisposed to inflict any but a nominal fine; in one instance only 7s. were imposed, where £70 might have been inflicted. In case of a second conviction a heavier fine was imposed. He did not find any of his prosecutions fail because the Act was not sufficiently stringent. The gentlemen above would protect if they received the co-operation of those below.

Mr. Edward Foot, sworn.—Lives near Kanturk, and is best acquainted with the upper part of the Blackwater. Knows the river from Fermoy to the source. His opinions as to spawning, migration, &c., fully concur with those expressed by the last witness. The light fish spawn in the tributaries, and the heavy ones in the main river. A greater number of fish spawned in 1843 than in any previous year. He has fish at

present in progress of experiment. He took the Gravelling of different sizes out of the river, noted down the number, and put them into a pond, which is supplied by a powerful spring, and has no communication with the river or sea. It was last Summer he put the fish into the pond, and cannot, of course, yet speak of the result of his experiment. Agrees with Shaw, that Gravelling eventually become Salmon Fry. Taking the whole river, and the several interests connected with it, in an enlarged point of view, he would fix the Close Season from the 1st October to the 1st March. Thinks the fishery may become early if the obstacles were removed; but in present circumstances that is the season he would fix. Witness feels that a uniform season is most desirable.

George Bennett Jackson, esq., sworn.—Knows the river between Fermoy and Lismore. Agrees generally with the statements of the former witnesses. Is acquainted with the mill weirs at Glandelane. He frequently observed the fish make every effort to get over that weir, but never saw one succeed. In his opinion it is an insuperable obstruction. He has seen the spent fish and Fry endeavour to come down over it, and *not one* of them could pass. Thinks the Fry may possibly escape by the wheel, but this is utterly impossible for the spents. The wheel is so placed that if the spent fish come to the edge they are smashed to pieces. The mill-dam appears to have been considerably raised since the late Act. The water cannot pass over it now at all, except in very high floods. The spents are detained there so as to prevent their migration to the sea. There is another obstruction at Fermoy, but it is not so destructive to the fish. The weir is not so high as that at Glandelane. There has been a police station lately established at Glandelane. The obstructions spoken of decidedly affect the migration of the fish. Is of opinion that from the 1st March to 1st October would be a good period for the Open Season. Thinks the general interests would be best consulted by such a season. Thinks that an artificial time of breeding has been induced by the obstructions; and, if these were removed, the natural time would again be brought about. It was in April he saw the spent fish endeavouring to get down at Glandelane. He considers it desirable to let the spent fish down; but their value is small compared with the Spring fish that go up; and he therefore considers the letting up of the latter of paramount importance. Before the late Act there were scarcely any fish in the upper part of the river in the Open Season. Heard that there were a great many fish in the river as far as Glandelane this year, but there were very few above it. Witness heard that there were great quantities of fish at the mill-dam, and that they could not get over it; but he does not know this of his own knowledge, as he was from home at the time. Heard that an attempt was made to make a passage over the weir; but, a difference having arisen between Mr. Briscoe and the engineer, the work was not proceeded with. He believed Mr. Briscoe objected that there was an alteration from the original plan proposed. Thinks that a grating at the lower end of the tail race would save the fish, and not injure the working power of the mill in any way.

Mr. Foot said, that whatever season be fixed it should, according to all his convictions, be a uniform one.

Mr. Croker said, that he wanted good fish at any season. If they come early, so much the better. All he wanted was that they *would* come. If these obstructions could be removed, and that the fish would go up early, he would be as anxious to have an early season as those below. His society agreed with the views which he expressed.

SECOND DAY—CAPPOQUIN, COUNTY WATERFORD, FRIDAY, NOVEMBER 29, 1844.

THE BLACKWATER.

Patrick Foley, esq., sworn. Is one of the lessees of the weir and fishery of Lismore. It has been in his possession these twenty-one years; and in that of his family between fifty and sixty years. He has had the sole direction and management of it for the last twenty-one years. He fishes from a little below Cappoquin to the weir, and fishes the weir also. The latter is about 520 yards in length, including a small island. There are seven hutches or gaps in the weir, five of which are merely for the passage of water; and the other two are fishing hutches: in each of the latter there are two passages, and one fishing chamber. He fishes from the weir to Cappoquin, and below it, with draught nets. There are up rails in all the hutches, and they are very troublesome to open. It would require an immensity of trouble, in their present construction, to raise the grates for the purpose of observing the weekly Close Time. Knows, however, that it must be done according to the present Act; but he thinks that eighteen inches of vertical bars at the bottom would answer all purposes, for the observance of the weekly Close Time. There are three opens in four of the hutches, which are for the passage of water, and four in the other. The former Close Time was from the 10th December to the 14th February; this was the season commonly recognised, and it was continued up to the present year; when they, for the first time, commenced to cease fishing on the 20th August. In former times, they used to have a good take of fish in February, but the fisheries were decreasing up to the late Act; and, since the Act passed, he has taken much less fish than he ever remembers before. He attributes this decrease to the weekly opening, the destruction of the fish, and the dryness of the season. He has observed the river very closely, and is of opinion, that the Fry which go down in March, April, and May, come back as Peal that year. He believes the Peal to be young Salmon; that the spent fish return in August and September; and, that the greater the number which go down, the greater will be the

APPENDIX, No. II.

The Blackwater.

Suitable season.

Obstructions.
Glandelane.

Season desired.

The Blackwater.

Lismore weir.

Former Close Time.

Comparative
produce.

Migration.

APPENDIX, No. II.

The Blackwater.

- December fish.
- Spawning.
- Migration.
- Destruction of fish.
- Angling.
- Suitable season.
- Best months.
- Obstructions and injuries.
- Gaffs and spears.
- Produce.

quantity which will afterwards return. Is of opinion that Spring fish are the Peal of the year before. The fish caught in December are in the best possible condition; and are of a fine silvery colour. He has taken capital fish in December, January, and February. They do not catch so much new fish as old in December: the good fish of that month are richer, softer, and more oily, and having less curd than the fish of February and March. He has attended to the spawning of the fish in the Blackwater, and the Glen or Ownashee rivers. The fish do not go into the Glen rivers until December. The earliest spawning in the upper rivers is in November; the great bulk spawn in December and January, and if there be frost all the fish are done spawning in February. There may be a solitary one spawning in March. The spawning is done in December and January, particularly if there be a frost. Some, but very few, Fry, go down in March; the great bulk in April, and some in May. Witness never saw Fry in February. The spents come down in March, April, and May; the great bulk in April. He has seen the spent fish detained at Glandelane weir. There is, now, no passage for Fry at his weir, except in the weekly Close Time. Formerly he had a spring net, through which the fish passed down, but could not pass up; but in consequence of their taking the spents below him in large quantities, he discontinued the use of this net. If only one fish went down, it would be taken below by wicker nets, used for the purpose. He heard that seventy spents were taken at one time in an ebb weir below him in one tide, and sold to jolters. Since he discontinued the use of the purse net the old fish cannot go beyond his weir, except in time of floods. This net was up till within the last six years. When the old fish become numerous above, they are speared by unprincipled persons. The spents descend with the current. The weekly opening is calculated to do good as far as the spent fish are concerned. He never prevents any one from angling on the river, for angling can do no harm. There are several hundreds allowed to fish, even in the weirs. A fair angler will not injure a spawning or spent fish; but there are plenty of fellows to destroy them by burning and strokehauling. Thinks this practice arises from poverty, idleness, and agitation. Thinks that from the 14th February to the 10th September would be an excellent season for the Blackwater, Suir, Nore, and Barrow. In 1844, he got more fish in February than he ever got before. March is sometimes a good and sometimes a bad month. Before the late Act June and July yielded the greatest quantity of fish: there was a great falling off in August. He did not take as much fish from the 1st to the 10th December, as from the 1st to the 10th February. Previous to 1784, the weirs were never opened. The Glandelane Mills have injured the fisheries more than any other source of destruction. At Glandelane the fish are sometimes not more than half covered with water, and the fellows gaff them there with the greatest ease. There has been more illegal fishing above his weir since the Act than before. Recommends the total disuse of gaffs, spears, and strokealls; and considers a qualification clause absolutely necessary. There was no gap in his weir in 1784. The following return of the quantity of fish taken on the first fishing day of each season is correct:—

New Salmon.			New Salmon.		
1823, February 15,	.	108	1834, February 17,	.	74
1824, March 6,	.	161	1835, February 16,	.	67
1825, February 22,	.	111	1836, February 15,	.	46
1826, March 1,	.	184	1837, February 16,	.	13
1827, February 26,	.	190	1838, March 1,	.	21
1828, March 3,	.	143	1839, February 18,	.	52
1829, February 18,	.	64	1840, February 20,	.	72
1830, February 16,	.	101	1841, February 16,	.	76
1831, February 18,	.	81	1842, February 17,	.	41
1832, February 16,	.	69	1843, February 17,	.	145
1833, February 28,	.	15	1844, February 14,	.	288

Observance of the Law.

The greatest run he ever had in February was in 1844. The 288 Salmon weighed 2,311 lbs. gross. The weekly Close Time was strictly observed in 1843: but the increase in 1844 was not produced by that observance. He attributes it to the fact that the Scotch weirs were not in fishing order below. From 1823 to the passing of the late Act, the Close Time was not strictly observed. They used to catch in December the most delicious fish in the year.

Produce.

The following is the gross produce of his fishery, each year, since 1823:—

Salmon.				Salmon.			
	Tons.	cwts.	qrs. lbs.		Tons.	cwts.	qrs. lbs.
1823,	6,086	20	6 1 18	1831,	7,934	23	7 2 12
1824,	6,988	19	0 0 2	1835,	9,379	28	10 1 21
1825,	5,813	16	7 1 24	1836,	4,792	14	17 2 23
1826,	4,802	15	6 0 9	1837,	8,501	23	11 3 13
1827,	5,819	17	13 3 15	1838,	12,033	33	12 1 12
1828,	7,592	23	17 2 24	1839,	8,645	26	1 2 15
1829,	6,379	19	0 0 13	1840,	8,259	23	17 2 6
1830,	6,890	20	10 2 9	1841,	6,904	21	6 1 7
1831,	6,978	17	17 3 27	1842,	7,590	20	19 0 15
1832,	8,738	29	7 3 2	1843,	6,913	21	1 0 1
1833,	9,184	25	0 0 25	1844,	4,248	13	15 3 20

During these twenty-one years they always fished in the same way. This return includes all the take. Fished in the tideway during these years, but not below Salter Bridge.

The following are the quantities of fish sold at home :—

APPENDIX, No. II.
The Blackwater.

	Salmon.		Salmon.		Salmon.
1823, . . .	389	1832, {	2,738 sold to jolters.	1837, . . .	302
1824, . . .	488		695 sold to gentlemen.	1838, . . .	301
1825, . . .	580	1833, {	2,478 sold to jolters.	1839, . . .	334
1826, . . .	677		478 sold to gentlemen.	1840, . . .	207
1827, . . .	594	1834, {	2,012 sold to jolters.	1841, . . .	170
1828, . . .	849		397 sold to gentlemen.	1842, . . .	168
1829, . . .	382	1835, .	456	1843, . . .	198
1830, . . .	490	1836, .	303	1844, . . .	799
1831, . . .	419				

He exports his own fish: he has a large flat which he inundates for the purpose of procuring ice. The following are the years in which he had a supply of ice, by this means :—

1822, December 28.	1830, February 5, and Dec. 28.	1838, January 12 and 18.
1823, January 18 and 22.	1830, }	1839, February 2.
1824, January 17.	1831, }	1840, None.
1825, No ice.	1832, } No ice.	1841, January 7.
1826, January 13.	1833, }	1842, January 6.
1827, January 6.	1834, }	1843, } None.
1828, No ice.	1835, January 9.	1844, }
1829, January 25, and Dec. 26.	1836, Jan. 13, and Dec. 23 to 31.	

He has two ice houses, but they do not hold a supply for the second year. He fished up to the last hour for the twenty-one years which he has had the fishery, and sometimes kept the hutches shut during the entire year. There is an abundance of spawning ground below the weir to Salter Bridge. The tide comes up to within one mile of the weir. Witness does not believe in the doctrine that it is possible to overstock a river. In the spawning river which he has, he could not protect the fish, although it was near his house, and under the muzzles of his guns. There is fine spawning ground at Castle Richard and Fortwilliam, but he does not expect much from the Glen rivers, for the water in these rivers falls too low, and the scours are dried up before the fish come to maturity. The fish hang about in the tideway until the floods come, and then they run up. He fishes with nets in the tideway in the dry season. The present hutches injure the fish very much, and the mode of construction is very objectionable. The inside of them is lined with boards. A great number of Porpoises frequented this river when there was a great quantity of fish in it; but he believes the Scotch weirs frightened them away, as they do not come into the river now. The average weight of the Blackwater fish was, in 1823,

Construction of hutches.

	lbs.		lbs.		Peal.	Salmon.	Average weight of fish.
March	9 $\frac{1}{2}$	each.	June 27th,	6 $\frac{3}{4}$	each.		
March 28th,	9 $\frac{1}{2}$	"	July 7th,	6 $\frac{1}{2}$	"		
April 21st,	10 $\frac{1}{2}$	"	July 18th,	6 $\frac{1}{2}$ oz.	"		
May 13th,	10 $\frac{1}{2}$	"	July 26th,	5 $\frac{1}{2}$	"		
May 21st,	10 $\frac{1}{2}$ oz.	"	August 2nd,	5 $\frac{1}{2}$	"	217	146
May 31st,	10 $\frac{1}{2}$ oz.	"	August 16th,	6 $\frac{3}{8}$	"	300	74
June 14th,	7 $\frac{3}{8}$ oz.	"	August 29th,	7	"		
			Sept. 10th,	7 $\frac{3}{8}$	"	142	70

The heaviest run of fish is generally in February; they are then from eight to twenty pounds weight. He considers February a better fishing month than March, but this depends on the temperature of the water. The Peal run in April, but he did not take them until May, for the small ones pass through his weir. A few years ago great quantity of Peal was taken at Glandelane. There has been a very poor run of Peal since the late Act. May is the first month he has caught them in any year. The greatest quantity of Peal is taken in June and July, and they are very large in September. They are found in greater quantities in September than the parent fish, and they have a small pea in that month. The pea begins to increase in the parent fish in September, and it is large in November; he has not seen any breeding fish go up in August. The left globe of the roe of every Salmon is larger than the right; and in his opinion the right and left globes contain distinct genders of fish. On the 17th September, 1824, he took a fifteen pound female Salmon, the roe of which contained 10,260 eggs. On the 16th October, he took a ten and a half pound fish, the right globe of which contained 4,612 eggs, and the left, weighing fourteen ounces, 4,816 eggs. The price of the Salmon used to be 2*d.* per lb. Previous to 1823, the produce of the weir was much larger than since. In 1816, before the Scotch weirs were erected, there were about forty tons of Salmon taken in the weir. The average price of fish sold at home is 4*d.* per pound; 6*d.* for Salmon, and 3*d.* for Peal. February, March, and April yield more money than May, June, and July. The expenses are a great deal more, and the prices less, in the latter months. The prices in England have reduced; and he attributes this reduction to the importation of foreign fish, the increased facilities of

Peal.

Comparative produce
Prices.

APPENDIX, No. II.

The Blackwater.
Protection.

The Luoge.
Eels.

Trout.

Brown Trout.

Fry.

Gravelling.

Weekly Close Time.

Suitable Season.

transport, and to the fact of the Catholics being allowed to eat meat on Saturdays. The English market is now glutted, for the fish can be imported with such facility; and besides, they are now taking fish in several rivers, where the fisheries had been destroyed. Protection can most certainly improve the rivers; and if there were a proper feeling between those in the upper and lower parts of the Blackwater, the neighbourhood could be supplied with Salmon at a very low price. His father used to give away, *in presents, as much fish* as is now taken altogether. No boat passed his weir for sixty years past. The London price of Salmon in February had been 2s. 6d., it then came down to 1s. 9d., after to 1s. 6d., 9d., 6d., and 4d. at the latter part of the year. He has no Eel fishery, but sees millions of Eel fry going up the river. The "Luoge" are the fry of the Eel, and are bred in the sea. The Eel fry are taken in baskets-full above, and sold by the quart. There is an Eel weir on the Castletownroche river, but it is now useless. There are no means used in the estuary to take Eels. Thinks if the Eel fry were protected, they would return to the sea to spawn, and come back again large sized. There is a great abundance of white Trout in the river, but they are not now taken, in consequence of the size of the mesh. The white Trout fishery was never valuable. He has caught brown Trout with Salmon Fry in their stomachs. They attend on the spawning fish at the beds, and devour the pea when it is deposited. He never got any Salmon Fry in the bellies of the *white* Trout. The fattest and softest fish are in December; the hardest and firmest in February. The Close Season was not required to be observed till August, 1844, nor was it observed till then. Thinks it is an erroneous opinion that Fry do not come to maturity for two years after being spawned. When the fish spawn in November, December, and January, the Fry, the produce of that spawning, will go down the following March, April, and May. Is of opinion, notwithstanding all that has been said by Shaw and Hogarth, that the Gravelling and the Salmon are a different species, and that the Gravelling will not become Salmon.

Sir Richard Keane denied the identity of the Gravelling and Salmon Fry. There was a fall of forty feet on this river, above which no Salmon went, and no Fry found; but the Gravelling were found there in all stages, from the Gravelling to the mountain Trout.

Mr. Foley, in continuation.—April the 18th, 1825, he killed a brown Trout, one and a half pounds weight, which had four Salmon Fry in its stomach. The fish deteriorate in value by stopping in the fresh water; they become reddish in about a week. He does not fish above his weir, nor are any nets drawn above it. Before the late Act there was no fishery above, nor will the fishery there ever become of any commercial value. The weekly Close Time has decreased the quantity of fish taken at his weir. Thinks he is benefited by having the lower proprietors open their weirs; but the fact of the fish going up to him in the weekly Close Time, depends upon the state of the wind. The moment they pass the Scotch weirs, if the wind be westerly, they run up. Taking in consideration the river, and the estuary, and that which would lead to the increase of the fish, he is of opinion that the best Open Season would be from the 12th February to the 1st October. They may begin without injury to the fishery on the 1st February, in the tideway. The 1st October ought to be the very last day for fishing. The old Act gave 157 days of Close Time; the new Act, 176. He considers 134 days, the Close Season proposed, sufficient to stock the river to over-abundance, if preserved in any moderate degree. 124 days is the minimum allowed by the Act.

The old Act was		Lord Eliot's Act.		Close Time as it ought to be.	
	Days.		Days.		Days.
From September 10th to		Close Time, from 20th Au-		From October 1st to Febru-	
February 14th, .	157	gust to 12th February,	176	ary 12th, .	134
Saturday's Close Time, .	45	Saturday's Close Time, .	40	Saturday's Close Time, .	50
Total Close Time, .	202	Total Close Time, .	216	Total Close Time, .	184
Leaving for fishing, .	163	Leaving for Fishing, .	149	Leaving for fishing, .	181
	365		365		365

Spawning.

Is of opinion that the season he proposes would also suit the Suir, Nore, Barrow, and Lee. The great spawning is the latter end of December and January. Frost accelerates the spawning. On the 23rd June, 1824, he killed a Spent fish of twelve pounds weight, having a newly formed roe, and some eggs of the old roe also. Witness has known very few fish to spawn in November. Great shoals of Fry come down in April. Fry spawned in November descend in March; those spawned in December come down in April, and the January spawn in May. Thinks that a uniform season for all Ireland would not answer; but it should be the same for the rivers of the south.

Obstructions.

To Mr. Stewart.—Does not think the stake weirs interfere with the breeding of the fish. The old fish cease to go down at the latter end of April or May, unless detained by obstructions. Sometimes they have been detained by the mill weirs at Glandelane and Fermoy, until June and July. If the obstructions were removed they would have the "retrievers" coming up in September, of the finest quality. There is great destruction of the fish at Glandelane; the weir there has produced a nest of demoralized poachers at Araglyn, who live by gaffing the fish. The Spents return, recruited, in August, September, and October. Thinks that the Spring fish which go up in the river are merely roving about, and would return to the sea again without spawning. They go up to get rid of the sea lice, and return

again to remove the maggots, which, in the river, form under the gills. The fisheries would be benefited if passes were made over the obstructions. In 1809, the Scotch weirs were first put up. The following are the expenses of his weir, from 1831 to 1839, inclusive.

APPENDIX, No. II.
The Blackwater.

	£	s.	d.
1832, . . .	626	16	4½
1833, . . .	503	6	0
1834, . . .	477	16	5
1835, . . .	680	9	1
1836, . . .	537	0	3½
1837, . . .	630	13	5½
1838, . . .	831	19	5
1839, . . .	698	6	2
	1)4,986	7	2½
	£623	5	10½

Expenses of weir.

This is the annual average expense of the Blackwater fishery for eight years. The great quantity of valuable timber, spikes, nails, and time, which are supplied by the Duke of Devonshire, are not included in the above. This return includes the expense of watching the weir, and the freight on the export of the fish. The actual expense of *working the weir* is about £400 per annum.

LOWER STAKE WEIRS—BLACKWATER.

Mr. John Hodnet, sworn.—Is about twenty years a stake weir proprietor at Muckridge, near Youghal. The first weir, commencing from the sea, is a Scotch weir, below Youghal bridge, belonging to Maurice Power; the second is another stake weir, belonging to Power's family; and there are two Sprat weirs below these, near the Ferry Point, also belonging to the same family. The weirs lie thence in the following order:—A stake weir—Robert Ronayne and James Hynes. A Sprat weir also, east side—Thomas Dennihy. A stake net—John Hodnet; this net is at Rencrew. A stake weir—the Widow Ronayne. Another at Templemichael—Charles Ronayne. Another at Templemichael—Mr. Armstrong. The next is Mr. Mangan's. The next at Ballintray—a Sprat weir—Mr. Smith. Next, the Abbey weir, for Sprats and Herrings—Mr. Smith also. Next at Delughtane—Mr. Ronayne. Next, one belonging to Hurley and Sliney, partners. Two weirs at Clash more—Lord Huntingdon. Thomas Hodnet, one. Mr. Crotty, one, at Coolbank. John and Richard Doyle, one. Mr. Keily's weir, held by Patrick Walsh. Edmond Cotter, one. Dower and Fitzgerald, one. Neile, one. Leahy, one. M'Carthy, one. Reynett, one. Keefes, one. An old one out of repair, belonging to Hickey. One at the mouth of the Bride, belonging to Richard Wild. One belonging to Mr. Usher. An old ebb head weir—Mr. Townsend Keily. Lord Stewart De Decies—an ebb weir. Sir Richard Musgrave—an ebb weir. The Sprat weirs might take Salmon, but very seldom. The Sprat weir has its mouth faced to the ebb tide. The entrance is not too small for Salmon, but the construction is not the same as that of a Salmon weir. The Sprat weirs take Herrings and Hake; they also take Salmon Fry, but caution is taken to let them out again. It would not injure the value of the Sprat weirs to have them open in February, March, April, and May. There are no Sprats taken in those months, and then the Salmon Fry could go down. Some Sprats are taken in February. Leaving the Sprat weirs open in March, April, and May, would give sufficient protection to the Fry. Pays rent for his weir; it is described in his lease. Some weirs are rent free. Most of them are held in right of land, and as appendages to the land, under the Stewart family. His weir is constructed of iron and lathing, but he is about to get nets. The weirs of a construction similar to his do not answer well. Nets would be much better; and they could be taken off in the Close Time, so that there would be no destruction of fish. Witness is also in the Salmon trade, as a purchaser. March exceeds February in quantity of fish, but February is superior in point of value. This is the case in the Youghal market. In some seasons there are more fish in February than in March, for the same number of days. Previous to the passing of the late Act, the weir owners never fished before the 12th February, but the cotmen did. Early in February they get prime silvery fish. The Spring fish continue running till May. The run of Peal commences in May; there is an odd one in May, but the greatest run is in July. About the 10th June there is a slackage in the run of Spring fish. He cannot tell what quantity of fish he caught in a year. Mr. Ronayne's and Mr. Smith's weirs are the best. The spents come down in March and April; an odd one only gets into his weir. There is a falling off in the value of his weir since the bridge was built. Pays about £30 a year for his weir. He thinks the weirs should be assessed, for the protection of the fisheries. Purchases the produce of Mr. Smith's weir, and others, but has kept no account. Some of the weirs are worth about £150 a year, and others not worth £30, according to their position. The erection of a large weir costs from £100 to £150; and the expense of fishing one, is about £12 or £14 for the season; and repairs come to about £14 or £15 more. The expenses of working a head weir are less. There has been a great decrease in the run of fish in September. Heard that the fish which go up in October go up the farthest; they are not then heavy in pea. Gets 4d. to 4½d., in Bristol, for the September fish.

Lower stake weirs.

Sprat weirs.

Construction of weirs.

Comparative supply.

Peal.

Spents.
Rent.

Value of weirs.

Prices.

APPENDIX, No. 11.

The Blackwater.

He stopped fishing this year on the 21st August; he had not good fishing from the 1st to the 21st August. 1843 was a better season than last year. For the six or seven years preceding the late Act, the fisheries were rather decreasing.

Mr. Foley said Lord Elliot's Act could never operate any good until spears, grapples, and strokealls were interdicted.

Protection.

Mr. Hodnett resumed.—The lower proprietors preserve the small tributaries running into the Blackwater up to Lismore, but they do not send water-bailiffs to the upper part of the river. The Sprats went up about one mile and a half beyond Ballintra last year. There was then the greatest run he ever saw. The seines used for Sprats are not likely to catch Salmon, as they are hauled too slowly. The cotmen used to observe no Close Time, but there is scarcely one of them now violates the law in this respect. This exact observance commenced about two years ago. There was no prevention to their fishing in the Open Season. The cots are not registered. Witness never heard that any effort had been made by the Coast Guard to have them registered.

Sprats.

Observance of
Close Time.

Mr. Foley said there were about eighty pair of cots on the river, neither marked or numbered; and the meshes of the nets used in them were contrary to law.

Suitable season.

Mr. Hodnett, in continuation.—The leaders of the weirs extend beyond low water mark. The body of his weir is dry at low water. The cotmen and the weir owners have observed the Close Time since the Act. Thinks that four months, October, November, December, and January, would be the best Close Season, and would be quite sufficient for all interests.

Produce.

Nathaniel Reynett, sworn.—Holds a Scotch stake weir between the Bride and Cooneen. It fishes entirely on the flood. It is one of the upper weirs, and does not produce as much as the lower ones. It requires an hour before the flood tide sets fair into it. The following is the gross amount of money received at Youghal, for the produce of his weir:—

1838.	£	s.	d.	per lb.
March, .	2	10	0	1s. 2d.
April, .	4	2	1	8d. to 1s. 2d.
May, .	3	18	10	4d. to 9d.
June, .	6	17	0	4d. to 5d.
July, .	3	0	1½	4d.
August, .	2	0	6	4d. to 5d.
Sept. to 10th,	0	14	0	5d.
	£23	2	6½	

1842.	£	s.	d.	per lb.
April, .	3	11	10	8d. to 1s. 6d.
May, .	1	14	7	9d. to 10d.
June, .	4	15	1	3½d. to 5d.
July, .	4	0	4	3½d. to 4d.
August, .	2	11	0	3½d. to 5d.
Sept. to 10th,	1	4	0	4d.
	£17	16	10	

1843.	£	s.	d.	per lb.
April, .	4	10	0	
May, .	1	14	2	6½d. to 9d.
June, .	3	14	8½	3½d. to 5d.
July, .	7	9	11	3½d. to 4d.
August to 10th				
September,	4	17	0	3½d. to 4d.
	£22	8	9½	

1844.	£	s.	d.	per lb.
February, .	4	1	0	10d. to 1s. 3d.
March, .	2	7	6	8d. to 1s. 2d.
Gross Amount, whole Season				
of 1844,	£21	8	8½	

He considers his weir very valueless, in consequence of its being so far up. There was a greater run of Spring fish in January and the beginning of February this year than he ever recollects; but the gross quantity of fish in the river is decreasing. The weekly Close Time has been observed very attentively by the weir owners; but the cotmen have not observed it. His weir is as good as any in the upper part of the river. The outfit of a pair cots is about £3 10s., nets and all.

January fish.

Gross value of
fisheries.

Prices.

Mr. Thomas Ronayne, sworn.—Is a weir owner in Kerry, and interested in the fisheries of the South of Ireland, as an exporter of fish. The greater part of the fish taken in the lower portion of the Blackwater comes through his establishment. Does not purchase the produce of Mr. Foley's fishery. Is aware of fishing being practised by the cotmen before the 12th of February. He has purchased fish before the 12th of February, before the law was clearly defined upon the point. Got good fish in January, and those of February were very good. Spent fish have been brought to him in February, but they were, of course, rejected. There are others who purchase fish at Youghal besides him. He is of opinion that the gross value of the fisheries of the lower Blackwater, taking the produce of the several modes of fishing, from Cappoquin down, is over £2,000. He would say that it was at present £1,500. This amount of money is paid for the fish. He attributes the decrease to £1,500 to the weekly Close Time, the decrease in the quantity of fish, and the diminution in price. He thinks that ultimately the weekly Close Time will greatly increase the value of the fisheries. The average price is about 10d. per lb. for Spring fish, and 4d. for Summer fish; it is under 6d. per lb. for the entire year, and about £45 per ton in Youghal, before export. The prices in September vary very much. There is a great supply in June and July. The supply falls off in August; competition increases; and the prices rise. There is a considerable run of fish in this river in October: he has seen great quantities taken in that month. The fisheries of this river may be increased considerably; but an increase of supply will produce a decrease of price; looking, however, upon the fish as an article of food, the increase of the fisheries would be a great advantage. Thinks that the entire tributaries and the main trunk should be protected, in order to benefit the fisheries really.

To Mr. O'Dowd.—Witness has a knowledge of the fisheries in the neighbourhood of Killorglin. The Kerry fish begin to deteriorate in August; and they gradually get poorer from that out. It is merchantable in August and September; but not so good as in June and July. The Killorglin price in September is 3d. and 3½d. per lb.

To Mr. Croker.—The lower proprietors would be more benefited by having a free passage over the weirs, than those above; and they should therefore take a greater interest in the matter.

To Mr. Barry.—Does not think it an exaggeration to say that £8,000 worth of Sprats were taken along the adjacent coast, and up the river as far as Cooncen last year. He is convinced that there were £8,000 worth sold in Youghal.

Mr. Stewart said that there were £250 worth of Sprats taken in Mr. Dennihy's weir alone.

Mr. Curry thanked the upper gentlemen for their anxiety to cooperate with the lower proprietors in protection.

Mr. Foot observed that they were much gratified at the result of the inquiry; and the good understanding which was created between the persons interested in the fisheries on the upper and lower parts.

An arrangement of an amicable nature was then entered into between the upper and lower proprietors, and the inquiry terminated.

APPENDIX, No. II.

The Blackwater.

Sprats.

No. 1.—LETTER from Mr. NATHANIEL REYNETT to Wm. T. MULVANY, Esq.

Cappoquin, Weir Cottage, November 30, 1844.

No. 1.—Letter from Mr. Nathaniel Reynett to Wm. T. Mulvany, esq.

SIR,—In compliance with your request, I transmit what information I have been able to collect from parties most *unwilling* to give it; still, under all disadvantages I consider it may be very nearly correct. As to the gross quantity of Salmon taken each week, by each pair of cots containing four men, I know I am *under* the mark when I average it at £1, which, for the twenty-seven weeks at present allowed, amounts to £27 yearly for each pair of cots: said sum to be fairly divided into four shares, each fisherman getting one-fourth; the smallest lad capable of managing the cot being entitled to share equally with the oldest hand. Of course some are more lucky than others; as I have seen one pair of cots taking fish after fish among over thirty pair of cots, and nearly all the rest not meeting one. But I consider £1 a-week a fair average *for all*. The length of the net when first made is twenty-seven feet, breadth twenty-seven feet, with running string at both ends, to gather the net at *each end* into a kind of bag to prevent the Salmon from escaping when the fishermen by drawing in the ropes (twelve fathoms long at each side of the net) causes the net to close. When in the water, the net, the lower side of which must draw along the bottom of the river, has an open of about five feet, beside the twelve fathoms of rope (made of horse-hair) at each end of the net, it is continued the whole length at top and bottom of the net. The cost of net and poles, including the cost of making, about 17s.; and the cost of a good pair of cots with paddles, &c., £2 13s. Within the two last years there has been very little fish taken during the *Winter Close Season* by the cot-men; and I am fully convinced were that season in future not to commence until the 1st October, it would do more to induce them to protect the fishery than any other means whatever, and from all I have seen during eighteen years' experience, and the evidence given by all parties in Cappoquin, I am convinced that no possible injury could be done by extending the Open Season to October, as it is in November and December the bulk of the spawning fish runs into the river. Should you wish it, I could let you have very near the average value of Salmon taken in six or eight of the weirs near me; and the owners down the river, can, if they choose, let you have the same with respect to the residue. With respect to the petition brought forward at Cappoquin to Lord Eliot, many of the weir owners do not concur in it. I fear my communication will prove more tedious than instructive,

Produce.

And have the honour to remain, Sir, your obedient servant,

Wm. T. Mulvany, esq.

NATHANIEL REYNETT.

No. 2.—LETTER and Blackwater Return of C. J. KEAYS, Esq.

Cork, 10th December. 1844.

No. 2.—Letter and Blackwater Return of C. J. Keays, esq.,

GENTLEMEN.—At the other side, you have the promised Blackwater return.

Mr. Foley of Lismore stated that there were eighty pairs of cots on that river, it may be so; but on my progress downwards from Cappoquin to Youghal, I ascertained that the maximum number used for fishing in the tideway for the past five years, is fifty pair, *i.e.*, fifty nets, worked with two men in each cot. A few will take as much as £40 worth of Salmon each, during the season, and the gross earnings may be computed at £800 per annum; the great portion of which is sold to joulters, who retail in the interior, and to the agents of Waterford fish exporters. Taking into account the number of persons who are supported thereby, I do not know of a more interesting right of public fishing being exercised in any river in Ireland.

Produce.

I am, Gentlemen, your obedient servant,

C. J. KEAYS.

Wm. T. Mulvany and J. Redmond Barry, esqrs.,
Inspectors of Fisheries.

APPENDIX, No. II. Statement of the Number and Weight of Salmon purchased in Youghal, by Samuel Keays and Co., during the periods undermentioned.

The Blackwater.

	February Salmon.	lbs.	March Salmon.	lbs.	April Salmon.	lbs.
1842,	276	2,718	490	4,713	845	7,156
1843,	231	2,296	394	3,546	863	7,364
1844,	421*	4,117	352†	3,103	603	5,127

CHRISTOPHER JOHN KEAYS.

No. 3.—Letter and Return of Thomas Ronayne, esq.

No. 3.—LETTER and RETURN of THOMAS RONAYNE, Esq.

Youghal, February 8, 1845.

DEAR SIR,—I send you the promised information, which was not furnished to me by our clerk in Cork when I wrote for it, which will account to you for the delay. During the three years, Hodnett might have got about one-third each season of what we had. You will perceive the value of the lower fishery is much affected since the new law came to be observed, consequent on the Saturday's slap, &c., the entire benefit of which, or nearly so, the Lismore folk have.

I remain, dear Sir, very truly yours,

Wm. T. Mulvany, esq.

THOMAS RONAYNE.

Information referred to in preceding Letter.

Produce.

An Abstract of the Monthly Receipt of Salmon received in the establishment of Messrs. Keays and Ronayne, Youghal.

1842.				1843.			
	No. of Salmon.	lbs. Weight.	Amount paid.	No. of Salmon.	lbs. Weight.	Amount paid.	
			£ s. d.			£ s. d.	
February, .	101	807	51 7 10	145	1,140	56 18 2	
March, . .	159	1,181	79 6 3	357	2,802	118 0 1	
April, . .	250	2,089	115 1 11	584	4,835	195 9 4	
May, . . .	543	4,603	169 1 2	623	5,135	165 1 5	
June, . . .	5,235	23,258	463 4 1	2,534	12,034	215 1 3	
July, . . .	5,185	25,142	346 17 2	3,693	18,376	261 17 6	
August, . .	2,735	16,378	231 7 4	1,080	6,479	82 6 9	
September, .	303	2,151	23 8 10	807	4,963	64 5 10	
Total, .	14,511	Tons. cwts. qrs. lbs. 33 15 0 9	£1,479 14 7	9,823	Tons. cwts. qrs. lbs. 24 17 0 0	£1,159 0 4	

In both the above years the season commenced February 14th.

1844.			
	No. of Salmon.	lbs. Weight.	Amount paid.
			£ s. d.
February, .	218	1,705	73 13 3
March, . .	304	2,338	113 7 7
April, . .	378	3,073	117 15 11
May, . . .	470	3,592	87 8 0
June, . . .	2,711	11,901	218 14 4
July, . . .	3,036	14,429	219 8 10
August, . .	386	2,046	29 6 7
Total, .	7,503	Tons. cwts. qrs. lbs. 17 18 3 24	£859 14 6

In the above year the season commenced February 12th.

No. 4.—Second Letter from Thomas Ronayne, esq., to Wm. T. Mulvany, esq.

No. 4.—SECOND LETTER from THOMAS RONAYNE, Esq., to WM. T. MULVANY, Esq.

Youghal, February 21, 1845.

SIR,—I have given you a return of Salmon purchased here for three years, and my opinion as to Mr. Hodnett's purchases. During same time some found its way to the Waterford Market, which I would estimate at £100 each season; to which should be added the home consumption, and what is

* Including 166 Salmon purchased between the 25th January and 12th February, 1844, in consequence of there being no Close Season provided for between 1st January and 12th February, 1844, in 5 and 6 Vic., cap. 106.

† The above Salmon were taken in the rivers Blackwater and Bride, in the *tideway*.

taken into the country by joulters in the Summer, when cheap, so as to arrive at the quantity taken below Lismore by weirs, nets, &c. You had that valued by me, when at Cappoquin to £2,000—to £2,500 in former years, and about £1,500; and on farther consideration, I see no reason to alter the opinion then formed on the subject. However, the present value—£1,500, will be further reduced, in consequence of the weir owners being obliged to obey the law as regards not extending the wings below low water mark.

I remain, dear Sir, faithfully yours,

Wm. T. Mulvany, esq.

THOMAS RONAYNE.

APPENDIX, No. II.

The Blackwater.

No. 4.—Second Letter from Thomas Ronayne, esq., to Wm. T. Mulvany, esq.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at WATERFORD, SATURDAY, NOVEMBER 30, 1844.

SUBJECT OF INQUIRY.—THE RIVERS SUIR, NORE, AND BARROW, AND THEIR TRIBUTARIES, AND ALL OTHER SALMON RIVERS TERMINATING ON THE COAST BETWEEN BALLYVOILE HEAD, COUNTY WATERFORD, AND HOOK TOWER, COUNTY WEXFORD, TOGETHER WITH THE FISHERIES ON THE COAST BETWEEN THESE POINTS.

THE NORE.

The Nore.

Major William Izod, sworn.—Is acquainted with the Nore from above Kilkenny to Inistioge, as an angler, about forty years, and has attended a good deal to the habits of the Salmon. Before the late Act there was good angling for Salmon in this river. There are now as many obstacles in it as formerly; and the fisheries, of late, have been decidedly decreasing. Attributes this falling off to the obstructions which derange the migration of the fish, and to the destruction of the Salmon in the spawning season. There has been no protection of an efficient nature on the river. Two or three attempts were made to protect effectually, but without success. On one occasion the funds subscribed were lost in consequence of the failure of the Bank in which they were deposited. In these efforts at protection, they got no assistance from those fishing in the tideway and estuary. Before the late Act there was a nominal Close Time from the 29th September to about the 1st February, but it was not much attended to, for the people generally fished whenever they pleased. *Since the Act*, they have endeavoured to protect. This protection began in the winter of 1843. Keepers were then appointed; a number of fish were saved, but a great many were destroyed. There is a great deal of spawning ground in this river, and several tributary streams well adapted for breeding, flow into it. There is one running from Kilmahane below Thomastown: there are also the Dinane, the Blackmill, the King's River, the Jerpoint, and the Freshford Brook. In the latter river an immense number of fish were killed in the Close Season last year: it is very deep in several places, but very much exposed. The highest tributary of the Nore is the Erskine, but the Freshford Brook, a little below Freshford, is the highest with which he is acquainted. This river flows into the Nore a little below Kilkenny, and there are numerous obstacles on it. There are Queen's shares in the fishing weirs, and he heard that the hatches were opened during the weekly Close Time. Does not know whether the free gaps are properly placed. The millers have lately been raising the height of their weirs. There are some mill weirs and obstructions on the King's river, over which the fish cannot pass freely. There was one at the mouth of the river that would stop any fish, but it has been removed latterly. There is one above the bridge of Thomastown, over which it would be exceedingly difficult for the fish to pass. Nothing has been done since the Act to remove these obstructions, which so much impede the free migration of the fish. The earliest time the fish commence to spawn in the Freshford is towards the middle of November; the great bulk spawn in December and January, and the spawning is all over at the beginning of March. Does not think there is any difference between the spawning time in the main river and in the tributaries. February is a decided spawning month. The spents come down in April, May, and June, and he has seen them so late as August. Has seen a good many in the river in that month. On more occasions than one he has let two or three spents go in a day in August. Attributes their having remained so long in the river to an insufficiency of water to enable them to pass the obstructions. The Fry are going down in numbers about May. 1843 was a good fishing year; but in consequence of a want of water, this season has not been so. He did not fish much in 1843. In that year he caught a Spring fish about Patrick's-day, at Kilkenny, and that was the first he heard of having been taken up to that time. Previous to the passing of the Act, April and May used to be the best months. The fish he caught in March were beautiful. Catches Peal in August: they are then of a brilliant colour, and have no development of pea or milt. The pea is developed towards the latter part of September. Every fish which he killed in August was a good one. The fish spawn between Thomastown and Inistioge at the latter end of November, December, and January. The fish taken above Thomastown by the cots and weirs are sent forward to Dublin. Cot fishing is pursued a good length up the river: it is carried on at night, and is an efficient mode of fishing. Wherever there are good pools the people will continue fishing while the season is open, and will kill as many fish as they possibly can. Is convinced that the fish have gone up the river during the weekly Close Time since the late Act. Thinks that a Close Season from the 1st October to the 1st March is best suited

Decrease.

Protection.

Close Time before late Act.

Protection.

Tributary streams.

The Freshford Brook.

Weirs.

Obstructions.

Spawning.

Migration.

Spents.

Fry.

Best months.

Peal.

Suitable season.

APPENDIX, No. II.

The Blackwater.

to this neighbourhood. This is also the feeling of the Kilkenny Fishery Association, as may be seen by the following copy of a resolution passed at one of their meetings to that effect :—

At a meeting of the River Nore Fishery Association, held at the Kilkenny Court House, on Wednesday, November 4, 1844, Major Wm. Izod, of Chapel Izod, in the Chair.

It was Resolved,—That from lengthened experience, and in consequence of every inquiry we have made, this meeting is decidedly of opinion that the Close Season for Salmon and Trout should be from 1st October to 1st March, and that the time specified will answer for the rivers of the neighbourhood.

Resolved,—That our Chairman, Major Izod, be requested to convey to the Commissioners, at Waterford, this opinion of the meeting.

M. BANIN, *Secretary.*

Observance of
Close Time.

Operation of the
Law.

Minimum Penalties.

Lights.

Protection.

The Dinane.

Spawning.

Spents.

Obstructions.

Fry.

Modes of fishing.

Comparative
produce.

Best months.

In forming this opinion of the most suitable Close Time, he is influenced by the consideration of what would tend to the general and most public advantage. By "*this neighbourhood*" he means the Nore and its tributaries. Does not know what quantity of fish is taken in the estuary and tideway of the Suir and Nore. Would include February in the Close Time, because so many spawning fish are killed in that month. The spawning is not over in January. Latterly he caught so many black fish in February, that he gave up fishing altogether in that month. The Close Season has not been very well observed. There have been prosecutions for illegal fishing since the late Act, and the penalties were imposed judiciously, and to the satisfaction of the public. At first, the offenders were let off very easily; but in cases of repetition of offences, heavy penalties were inflicted. Is of opinion that the law is sufficient for the purposes for which it was framed, without the introduction of "minimum penalties." The prosecutions were for the carrying out of the Close Season; and the convictions obtained, were for the violation of the law in that respect.

Edward Bryan, sworn.—Is a water-bailiff and a fisherman, and has fished the Nore and its tributaries, for upwards of forty years. Is acquainted with this river, from Castledurrow to Inistioge. Witness has fished with the strokeall at night; has used lights also; and has had many opportunities of observing the fish on the spawning beds. Lights are used to a very great extent on this river. At two or three periods, a Close Season was observed in part, but not correctly. There was a small share of preservation about nine years ago; but it was not till the winter of 1842, that anything approaching to proper protection was afforded. At one time, in 1843, there were eighteen or nineteen water-bailiffs on the Nore, and its tributaries. They had the care of twenty-four miles of the Nore, and its tributaries, from Castledurrow to Inistioge. There was no protection above Castledurrow. The spawning fish, which enter the river early, endeavour to go up to the source. Knows the tributaries of the Nore. If there be a flood in the Nore the fish will not go up the Freshford; but if the Freshford be flooded, they will go up with the floods. The Dinane is a wonderful spawning river: there are many pools in that river. He has seen the fish on the spawning beds there on the 23rd October; this was owing to the frosty weather, which induces them to go on the spawning beds soon. The harder the weather, the sooner the spawning takes place: the time of the spawning depends, therefore, on the weather: January is the principal spawning month. If there be early floods there will be an early ascent of spawning fish, and a proportionably early descent of Fry. January was the latest time he saw the fish on the spawning beds in the Dinane; but he observed spawning in the main river from the latter end of February to the 5th of March. The fish that have spawned in November go down past Kilkenny in December, and those that have spawned in January go down in the middle of February; but this altogether depends upon the state of the water. If the season be dry, they remain in the mill pools waiting for the floods. He has seen twenty-four or twenty-five spents waiting at the back of a mill wheel for floods to carry them down. Any mill weir that has a waste gate gives a free passage to the spent fish: and, in general, the mill sluices have been opened to let them down. On the whole Nore, with two exceptions, one at Thomastown and the other at Green's-bridge, there are no weirs impassible at low water. An immense number of fish, not being able to get over these weirs, are destroyed there: and this would not be the case if a passage were made over them, which he thinks could easily be effected. The spawning pits are made at the same time in the main river, and the tributaries. He never heard of the time at which the fish spawn in the tributaries above Darrow. On the 23rd March, 1842, he seized a net fixed at the waste gate of a mill; and on cutting off the purse, he found thirty Salmon Fry in it. The Salmon Fry take a fly at that time. They will go down in March if the weather is soft; the great bulk go down towards the latter end of April: but, this, too, depends on the water. He has seen vast quantities going down about the 23rd of April, and the beginning of May. Once or twice, he heard of good fish being taken in February; but, in general, there is no plenty of them up at Kilkenny until April. The usual modes of fishing in the upper parts of the river are cross fishing, single fishing, and snap net fishing. In 1843, there was ten times as much fish taken from Inistioge up, as there used to be before the late Act. This arose from the protection of the river; the observance of the weekly Close Time; and an alteration in the spur walls of the weirs. This last was a bad season, owing to the want of water. The greatest run of good fish is from the latter end of March to the middle of May. Peal ran this year, and 1843, in June; but the greatest run of them is in July and August. There are very seldom any heavy fish found in August. September is one of the scarcest months until the latter end; but October is a great month for the run of breeding fish. They have then no sea lice on

them, and have a tinge of copper colour. The Peal in August are very bright; there are no dark coloured ones in that month; and the pea and milt are not observable; but every day they stop in the fresh water, they are changing colour. The pea and milt are getting large in September. The anglers and snap net fishers catch the general body of the fish above; but still many, or, at all events, some few, escape and remain in the river. A great number of persons angle on the river; there is no hinderance to angling, nor do any disputes take place in reference to fishing. There are a few very poor anglers who would poach if they could, but they are well watched. Peal go up the principal part of September, but not in such numbers as in June and July. In 1843, one snap net killed twenty-seven Peal and Salmon, another seventeen, and so on to ten, in one day. 1843 was a very valuable year; a man could well support his family by snap net fishing. He knew one man to kill forty-three Salmon in one fishing, with a rod. The anglers are generally very poor persons. There are some Eel fisheries on this river; but the fishing was very bad this year. He has seen Eel Fry taken on one or two occasions. There has been no lengthening of the spur walls on the fish weirs lately. There is no weir entirely across the river at Inistioge, nor any weir from Inistioge bridge to Kilkenny, that has not a Queen's gap.

As a number of persons interested in the Nore had come a great distance, and the hour was now becoming late, the further investigation into that river was adjourned to Tuesday, December 3rd, at New Ross.

APPENDIX, No. II.

The Nore.

Angling.

Snap net produce.

Weirs.

THE SUIR.

The Suir.

Protection.

William J. Ffennell, esq., sworn.—Is secretary to the Suir Fishery Association, which has been established for the last seven years. During that time they have protected the river from Golden, about nine miles above Cahir, to Carrick-on-Suir; indeed he might say they protected from Holycross; and for two years there was some preservation above Holycross. They at first employed between twenty and thirty water-bailiffs; but latterly, in consequence of the diminution of their funds, they had only eight or ten persons engaged in the preservation of the river. They received no contributions from proprietors of fishery in the tideway, with the exception of £20 from the Marquess of Waterford; this was before the passing of the late Act. At first they were successful to a great extent, and he is satisfied that they protected a great quantity of breeding fish. The protection extended to the spent as well as the breeding fish. As a proof of the success of their efforts, he would state one fact: when the Open Season first commenced after the protection, there was an immense take of spent fish, which showed that they had been protected when spawning; besides, many persons resorted to those tributaries, where they never fished before, and destroyed great quantities of Slats. They had two good fishing seasons previous to the passing of the Act; 1839 was particularly good. Witness does not think it requires three years before the fisheries are improved by the observance of the Close Season; for, the advantage derived from the protection of the spent fish is immediately felt, as they return recruited after a short interval. Was at first very sceptical as to the truth of Mr. Shaw's statements, but he is now perfectly convinced of their accuracy. He has read much upon the subject, and made experiments, and has seen the statements of Shaw fully borne out. Is of opinion that two years elapse between the time of depositing the spawn, and the maturity of the Salmon Fry. Is quite satisfied that the Gravelling are the young of the Salmon. As a proof:—immense quantities of Gravelling are taken in August, whereas the *Trout fishing* is then bad. The Gravelling take best in the hottest weather, and in the lowest water. On one occasion a person brought him thirteen dozen of Gravelling, and out of that number not one had pea, while many had large sized milt. The greatest quantities are taken in the Tar and Nire, where the Salmon spawn in great abundance. In mountain streams, where it was known that Salmon did not spawn, although Trout are found in great quantities, there is no appearance whatever of Gravelling. Again: in the beginning of April, when the Gravelling are changing their coat, and when the Fry begin to take the fly, the most experienced fishermen are unable to distinguish between them. These were some of the reasons which led to his present conviction; and he is now quite ashamed of the confidence with which he had adhered to his former opinion. Shaw's adjustment of the question of breeding, shows that the fisheries must be greatly affected in rivers where poisoning is carried on; and it also gives a most satisfactory explanation to those who were disappointed at not finding an increased run of Peal the year after careful protection was extended to the river; such an increase could not take place within three years. There is a great difference in the sizes of the Fry; some are large and some small, according to their respective ages. The great migration of the Fry is in April; some also go down in May. After they have congregated, a few showers of rain will send them all down. The early spawn come to maturity sooner than the late. Whenever a fresh came, the people used to set the Eel nets, and catch the Fry in myriads. He heard a person state, that in about one hour he caught two box carts full of Fry—15,000 or 20,000; while there are numbers of Eel weirs catching them at the same time. Considering such circumstances as this, he does not think that there has been yet sufficient protection to enable any one to judge of the effects of the Act. Nothing has been done better calculated to benefit the fisheries than the giving the aid of the police towards protection; but the assistance of that body will be quite insufficient without the employment of water-bailiffs also. There are a great many places in which there are no police stations.

Improvement of the fishery.

Gravelling.

Migration.

Destruction.

Police assistance.

APPENDIX, No. II.

The Suir.

Uniformity of season.

Spawning.

Fish trap.

Clonmel weirs.

Spents.

There can be no doubt but that it would be a profitable employment of money by those below, to pay water-bailiffs for the protection of the upper parts of the river. Immense benefits to the lower proprietors would result from such a course. He is thoroughly convinced that the law could never be effectually carried out, if the Close Season were not uniform. Seizing the fish, and preventing its being sold in the market towns, they found to be the greatest check to fishing out of season; and this could never be done if there were different seasons for different rivers. Witness has paid great attention to the spawning of the Salmon; and can speak most positively of the main trunk from Cahir to Newcastle, and of five miles of the Tar. He has, for days together, watched the process of spawning in the parts here mentioned. He never saw many spawning beds till November, and not so many then as in December and January. November is generally a wet month; the fish can be then more easily seen, as the water clears, but he cannot say whether they spawn earlier than that month. Observes the fish spawning earlier in the tributaries than in the main river. He never caught a fish in October that had spawned. Spawning does not take place in the Tar till the end of November, but the general spawning is in January and February. The part of the river he speaks of is about thirty miles from the tideway. There is not a great deal of spawning *at*, but there is a considerable quantity *above*, Thurles. There was a fish trap connected with the mill there, which used to kill considerable quantities of Salmon Fry. Since its removal, the proprietor assured him, that he was at a loss of £70 a year by not being allowed to fish it; it was a most ingenious contrivance, and was particularly valuable as an Eel trap. The weirs at Clonmel are a very material obstacle, so are those at Cahir, but not to so great an extent. A free passage over these obstructions would equalize the migration of the fish. Lord Glengall laid out £90 in making a passage over the weirs at Clonmel, and money was lodged for further improvement. The time at which the spents go down, varies according to the time of spawning. Before any Close Season was observed, quantities of spents used to be killed in December and January; they were then going down to the sea. The great bulk go down in January and February; a great many in March, and some in June. The following is a list of the Salmon taken with the rod, by himself and his brother, in the River Suir, near Cahir:—

1839.		
	Spent and unspawned.	New.
February, . . .	14 .	2 (28th)
March, . . .	10 .	7
April, . . .	5 .	26
May, . . .	0 .	28
June, . . .	0 .	4
July, . . .	0 .	10 (Peal)
August, . . .	0 .	12 (Peal)
	29	89

1840.		
	Spent and unspawned.	New.
February, . . .	13 .	1 (20th)
March, . . .	6 .	1
April, . . .	4 .	2
	23	4

1841.		
	Spent and unspawned.	New.
February, . . .	4 .	3 (26th & 27th)
March, . . .	4 .	5
April, . . .	2 .	4
May, . . .	0 .	3
	10	15

Fry.

Munster Fishery meeting.

Observance of the Close Season.

Suitable fishing time.

Fry begin to rise to the fly at the close of March; they migrate in April and May, and in dry seasons they are in the river in considerable numbers in June. They accumulate above the mill at Ardfinnan, and he has seen 120 or 130 dozen killed there by boys, in a single day. On one occasion he went to see the sluice opened, and when it was raised, the fish poured out in one stream. The free migration of Spents and Fry is affected by these obstacles; but in justice to the millers he was bound to say, that they were quite willing to open the sluices whenever a large quantity of Fry collected at the weirs. The Association, of which he is Secretary, does not approve of the resolutions passed at the Cork Fishery meeting, at which the Knight of Glin presided. It was quite an assumption on their part, to state that the interest of the Munster fisheries were represented at that meeting. The Suir, Nore, and Barrow, most important fisheries, were not represented there; and he considers most of the propositions adopted at it, particularly the one in reference to millers, exceedingly objectionable. Witness does not think the obstructions to which he alluded are calculated to produce late spawning in that river; for, no considerable quantity of spawning fish come up till November, and then there is sufficient water to carry them over these impediments. Knows the Cot fishers, and doubts much if the Close Season has been more than partially observed by them. In February there is a considerable number of good fish taken, and it brings then a very high price. 2s. 1½d. per pound is the price in February. That month is valuable in consequence of the price; but there is four times more fish taken in August; and 3d. a pound then would be equal to 1s. in February. Thinks it an injury to the fishery to stop on the 20th August. Has made inquiries concerning the lower fisheries, and is of opinion that the lower proprietors are in error in wishing to fish in February: they know the value of the fish taken then below, but they do not know the extent of the injury that is caused by the destruction of numbers of breeding and spent fish, which, if allowed to pass uninjured, would return very valuable fish. Admits that in deciding the question of the Close Season, it is essential to know the

quantities of fish taken in the sea, tideway, and estuary, in February; but the best proof of the smallness of the number taken in that month is the price that is then paid for the fish. Is not aware of any change being produced in the supply of early fish by early spawning. Thirty years ago there must have been a great deal of early spawning: there was a free flow, and no obstructions, and yet the quantity of good fish taken in February was very trifling: the river abounded with spent and unspawned Salmon in February at that time. They catch as good fish in September as at any other time of the year; but some have a copper colour, and a few, *very few indeed*, are heavy in pea at the latter end of that month. If he possessed the interests of the entire river, he would close February and open September, taking into consideration the quantity of breeding fish that is destroyed in February. In that month the fish are generally taken with bait; and therefore even if all possible care were taken, the spents cannot be protected, as the hook goes into their stomach. The spents are in all parts of this river, and do not confine themselves to the deep pools. Both the cock and female spents are taken. Heard the evidence respecting the Nore, and that a great number of spents are going down in March. That, he considers, is caused by obstructions; but February is the great month for their descent. Is not aware that there are rivers in which the spawning is all over at the latter end of December. The opinions contained in the paper printed by his Association still continue to be the opinions of the majority of the Society. The same opinions, however, do not exist now as to the necessity for "minimum penalties." A good deal has occurred since to show that they might be dispensed with; and the same feelings do not hold now as to their propriety. Is still of opinion that angling should be prohibited on Sundays, because the liberty of angling on those days has injuriously operated against a number of poor persons who have no other means of living than by the rod. Gentlemen exclude these poor people altogether from their property now, where they enjoyed full liberty before, as they did not wish to have the streams fished on a day when they could not, from their position, participate in the sport. As to himself, he did not think that angling should be restricted in any manner except during the annual Close Time; but he considered the interests of the poor of paramount importance. There is no comparison between the fisheries in the tideway, from Clonmel to Waterford, and those in the upper parts of the river. It would be most desirable to have all the cots marked and registered; a great many are, but a still greater number have neither letter nor name upon them. In the upper part, from Clonmel to Carrick-on-Suir, the cots take up to thirteen Salmon a day each, and, from that down to the sea, the take was very great in 1841, 1842, and 1843. One person in Waterford paid in one season £4,200 odd for Salmon. The year before last, from £17,000 to £18,000 worth of Salmon was sent into Waterford for exportation: this included a great quantity of Ross fish. All this money was paid for fish taken in the tideway; and yet not one penny, except the £20 spoken of before, was contributed by the lower proprietors towards protection. It is of vastly more importance to the lower than to the upper proprietors, that the fish should be allowed to pass up. In 1842 and 1843 a considerable trade was established at Clonmel by the sale of Salmon taken by the cots in the fresh water. Between Clonmel and Carrick there are about eighteen or twenty pair of cots.

John Mahony, sworn.—Lives at Ardfinnan; is now, and has been for forty years, an angler. There was always free liberty to fish in the Suir; there never was any hinderance to angling; but Lord Donoughmore did not allow cross fishing. There is no hinderance at present to fishing in the Open Season. Knows the Suir and Tar very well. Always heard of spawning fish being killed in the Tar sooner than in the Suir. Never saw, except a very odd fish, spawn in the Tar till the latter end of November. Never saw spawning beds formed so soon as All Hallows. The fish are on the beds till Patrick's Day; but the great bulk spawn about Christmas. In the Suir and Nore more fish spawn in February than in any other month. He wishes that February would be closed; because an immense number of Spents would be killed in that month, which would, if allowed to escape, return recruited. The earliest time he sees Spents is about the latter end of October; but they come in great numbers in February. There are not so much Spents in March as in February. Fry go down first in April; and odd schools of them descend in June. When killing Gravelling for bait in March, they would take no Salmon Fry. Witness fishes for Gravelling in July and August. He killed, on one occasion, twelve dozen of Gravelling between six and ten o'clock in the day; and another, took twenty-four dozen in a day in the Tar. The Nore is a great spawning river; and the Gravelling are found there in the greatest quantities. There is ten times the quantity of Gravelling in the mountain rivers that there is in the Suir. Found, last year, forty-six scours in the Tar in the month of February; but only saw two Salmon on them. He has seen the fish making the pits; and frequently observed the whole country in a blaze of lights, with people killing them on the spawning beds. There are scours in the river in June also; but they are made by Lamprey Eels. He used to support his family by angling; but he is now unable to do so. He and his father killed with the rod eight Salmon a day, for the run of a week, about thirty years ago. There have been seasons since then, in which he caught none; but within the last seven years the fishery has been improving. Recollects when the breach was made in the Clonmel weir about ten or twelve years ago; and in the lowest state of the water, they used to get Salmon in the upper part of the river, with sea-lice on them. When the breach was again made up, the fishery became as bad as ever. Witness catches good fish in September; a Salmon that would be a good while in the river would be red in that month, but that would be only a very odd one. Saw a man

APPENDIX, No. II.

The Suir.

September fish.

Minimum penalties.

Angling.

Cot fishing.

Produce.

Spawning.

Migration.

Gravelling.

Angling.

Clonmel weir.

APPENDIX, No. II.	spear eight Salmon on the scours, the 2nd February, from the bridge of Ardfinnan. Never saw a pea in the Gravelling, and he has seen many thousand dozens of them taken; while a great many of them had milt. Catches Gravelling in April, along with Fry, and he could hardly distinguish one from the other.
<i>The Suir.</i>	
Fishing time.	<i>James Hickey</i> , sworn.—Is both a cot and rod fisherman, and fishes the weir at Coolnamuck with a drum net for Mr. Wall. Is not aware that it is contrary to law to fish any weir for Salmon with nets, or in any way except by bars and inscales. The weir has been improving for the last eighteen years; it catches no fish except Salmon; and cannot take them otherwise than coming up from the sea. Before the late Act he used to set his net at all times. He does not recollect getting in December a good fish but one, nor in January but one, and this was about twelve years ago. Keeps no account of the quantity of fish taken. Catches regular new fish in February—caught them last February—they were then as good as the fish in May. Caught about six or eight in the whole month of February last year; but he was not able to fish at the latter end of the month. There are more good than unspawned fish caught in February. Did not catch many spawning fish in January and February. There is a run of Spring fish in February; and then a great slackage in March. April and May are the best months for large Salmon. Twenty pounds is the greatest weight of their fish, and it is only a very rare one that is so heavy. The first run of Peal is in June; they are then very small, not more than two or three pounds weight. The greatest run of them is from the latter end of June to August. They run in September also; they are then large sized; the pea is increasing but is still very small. Catches very few red fish in August; nor is there a great run of heavy fish in August and September. The gross quantity of good heavy fish taken in September is less than that taken in March. April and May are the best paying months. The spawning is over in February; the Spents come down in the first floods after. Has seen a good deal of spawning in the higher parts near Golden in that month. If there be early floods to carry the breeding fish up in September, they will spawn in November; but the great bulk spawn in December and January. Witness knows of Fry being taken in Eel weirs. He set an Eel net on one occasion, in the month of April, and he caught the full of it of Fry. There is a mill at Golden, at the weir of which, he has seen immense quantities of Fry waiting for the floods; he has seen the people there taking them in baskets. Salmon spawn up as far as Templemore; they always prefer going up to the high parts; and spawn sooner there than below. They spawn in the Ahala in the latter end of November. Mr. Wall's weir is not worth £40 a-year. He would consider himself very lucky by taking two or three Salmon in the weir of a morning.
Best months.	
Peal.	
Comparative produce.	
Spawning.	

SECOND DAY—WATERFORD, MONDAY, DECEMBER 2, 1844.

Time of fishing.	<i>Thomas Tobin</i> , sworn.—Is a fisherman at Passage; is forty-two years of age; and has been engaged in fishing all his life. He fishes for Salmon with drift nets, and uses a three and a half inch mesh in Spring, and one of two and a half inch for catching Peal. They begin to fish for Salmon on the 1st February; this was mostly always the practice; and at the latter end of May, or the beginning of June, for Peal. They drift from the Spit of Passage below the bar; they go down with the ebb, hang on to the nets during low water, and come up again with the flood. They commence to drift at half ebb; they mostly make one sweep of the net coming up, but three or four going down. There are from fourteen to twenty boats, each with a train of nets out in the one tide. They all hang on at the Spit together. The first boat next the Spit shoots its nets; and then, when it has passed down as far as Glenwater, the next boat shoots, so as to give each other room, and prevent their interfering. Sometimes they commence to haul at Arthurstown, and may occasionally get above the Spit, but they never practice hauling above Passage. The vessels are at anchor at Passage, and the nets would be torn to pieces there; and if they went above Passage, the flood and ebb tides would foul the nets. People have hauled seines in the Passage dock, but not in his recollection. He never used a seine, but they have been used in that locality. There is not as good take in February as in March and April. A train of nets, that is, a boat and crew, caught this season between seventy and eighty Salmon, not including Peal; and the season before, 180 Salmon. Their nets are about thirteen fathoms long, and eight feet deep; there are four men in each boat, and each boat has two of these nets. This makes up "a train of nets." The cost of each net—for making, ropes, corks, and leads, is 15s.; and the cost of a boat, sails, and oars, £16 or £17. Some of his neighbours caught more, and some less, than the quantity already mentioned. February, 1843, was the best in any year for a long time. The heavier the weather the better the fishing; there is, in fact, no use in going out on a fine day, because the fish do not then come up near the top of the water. They drift in from five and a half to thirteen fathoms of water; they sometimes drift by moonlight, but never on dark nights. No disputes whatever take place between them. Two boats from Cheek Point, and one from Ballyhack, drift along with them in the place he mentioned before. They never catch a spent fish at all, in any of their nets. April is the best month in the year; most money is made in that month. It was his regular habit to stop on the 12th August; but, in general, they fished right through. They began to stop on the 12th August after the passing of the new Act. There were weirs below Passage before the late Act, but most of them were put up the year the Act was passed. Up to the time of the Act, no Close Time was observed by those who fished in the tideway and estuary; and since
Mode of fishing.	
Months compared.	
Size of nets.	
Weather.	
Best months.	
Time of fishing.	

the Act, the Close Season has been observed by the boats, but not by the weirs. The net fishers stopped on the 12th August, but the weirs have fished on till the 1st September. The run of Peal fails in August, and during the Peal season they scarcely catch one Salmon. The Peal at the commencement are from three to four pounds weight, and they afterwards run to ten pounds weight. The general weight of Salmon through the year is from seven to sixteen pounds. Gets as heavy fish in February and March as in any other month in the year. Sells his fish in the Waterford market. Gets, in February, from 1s. 1d. to 2s. 3d., and in March, 1s. to 1s. 8d. a pound. The prices are reduced in April and May, when the fish come from Scotland into the London market. Sometimes they get as much as 10d. in May, but the general price is 7d. and 8d. They get 4d. and 3½d. for Peal, in June and July; and in August and September the price comes down to 3d. There is less fish taken now than formerly by the boats. He caught very few Peal this year. The quantity of Peal that is taken is nothing at all equal to that of the Salmon, and the price is vastly inferior. The Peal do not pay for the nets; for, during the Peal season, there is so much slime, and the water is so hot, that the nets do not last more than six weeks. They do not tar their nets. There are about thirty Sprat poles or weirs at passage; about six new ones have been erected there within his recollection. The nets on these poles have no inner pouch; they are one single piece of netting all through; and they are so set as to go off the poles at high water. They go down to fish the Sprat weirs at half ebb, and fish them from three to three and a half hours of ebb. They never fish there on the flood; one person tried it at the shore of Ballyhack, but made no hand of it. The ebb is the best time, because then the tide is strongest. The height of springs is not good, because the tide is then too strong, and the fish take the bottom. He has fished the whole tide right through, even at the height of springs, but there was no take. It requires a pretty strong tide to catch Sprats. When there is a great take of Sprats, a man holds the tail of the net, and lets the Sprats into the boat as if through a funnel; and they continue going into the net at the same time. During his entire life he caught only two Salmon in his Sprat nets; one was seven pounds, and the other twelve pounds weight. Cannot tell whether it was the head or the tail of these fish that was down in the bag. There has been no take of Sprats at Passage these four or five years, and it was even then very trifling. As yet there has not been £5 worth taken by the whole of the nets. In a good take of Sprats, a single net would make £5 or £6 in a tide. Such a take occurred sixteen and twenty years ago, and that year the Sprats ran up as far as the glass house. In 1843 the water outside the Hook was fairly alive with Sprats, but the southerly wind kept them out of the harbour. They watch the Sprats closely from Portally and Dunmore, for the Sprat fishing is their only dependence.

Edward Delany, William Ahern, and Maurice Kelly, Passage fishermen, all concurred in the evidence given by Tobin. They considered that the best Open Season for all parties would be from 1st February to Michaelmas day. The fishing season, from the 1st February to the 1st September was a very good one, and they would be well contented with that season.

Richard Carroll, sworn.—Lives at Moncoim; is a farmer, and fishes at intervals. When he was a boy he fished continually; but he then discontinued it, till within the last three years. Fishes with a snap or running net between two cots, with two men in each cot. They fish between Carreel and Waterford; and there are about twenty pairs of cots at the landing place where they have their poles. The hemp of the net costs 7s.; the ropes, which are made of cow hair, 8s.; and a pair of cots, from £4 4s. to £4 10s. £5 10s. would cover all the expenses of outfit. The nets are four and a half fathoms in length, and about two fathoms in depth. They fish about half ebb, and with the tide; they let down the net till it strikes the ground, and then they draw it along the bottom. The paddles are always going; the nets are not corked; and they can only fish on smooth ground. In 1842 and 1843 each man's share, during the fishing season, amounted to 9s. a week, on an average. They used to commence fishing in February, and continued till September, except in odd times. The Close Season was observed in 1842; some infringed it in 1843; this year it was better, but not strictly observed. They made scarcely 3s. a man, per week, this season; it was, indeed, a very bad one. They fish both by day and night during the season, except in rough weather. They agree well among each other, and have no disputes.

Philip Maguire, sworn.—Lives at Lefanny; and has been a fisherman and a net maker these twenty years. The running nets are four and a half fathoms long and two deep. There are two men in each cot; one at the paddles, and one fishing with the two ropes in his hand; they feel according as they go along, and haul in when the fish strike the net. They very seldom catch more than one Salmon at a time. They catch some spent fish in that way, but very few. He never used any nets but what were described by last witness. His net often took about sixteen Salmon in a day, when the fish were plenty; but he did not make £3 this year. He has made so much as £9 and £10 in the year. Before the late Act they generally began fishing in March, and fished all the year round. Good Spring fish were caught in March. They used to catch good fish in January, with sea lice on them, but never in December; the fish in that month are heavy on the seed. He would not catch more good fish in January than February. The good fish are going up in February; but they seldom fish then, in consequence of the coldness of the weather. He never caught a great deal of spents till March; the great bulk of them are coming down then. They used to catch a very odd fish with large pea in February; but they did not fish much in that month or in March. They catch most fish about Harvest: the seed is

APPENDIX, No. II.

The Snir.

Peal.

Prices.

Sprat weirs.

Favourable fishing time.

Suitable season.

Snap net.

Produce.

Observance of Close Season.

Mode of fishing.

Produce.

Time of fishing.

Best months.

APPENDIX, No. II.

The Suir.

Fry.

Number of nets and boats.

not then large; nor does it become so till All Hallows. The fish are very good at Michaelmas; the pea is not then large; and the number of good fish caught then is greater than that of the bad. The Fry go down from March to May. They used to have a five inch mesh; but he has used a two and a half inch mesh these ten years. There are about 200 nets, 400 cots, and 800 men, between Carrick-on-Suir and Waterford: half of these men have no land; most of them are married, and they work at other labour during the Close Time.

Thomas Harris, esq., sworn.—Has made out an account of the gross export of fish from Waterford, for the year 1844. He has checked it from the books kept in the Steam Packet Offices; and having made certain inquiries from dealers, weir owners, and carriers, he considers the following as approximating to the gross quantity of fish exported from the Suir, Nore, and Barrow exclusively:—

Gross export from Waterford.

1844.	Salmon.	lb.	Average Weight.
February, . . .	1,001	11,464	11½ lbs.
March, . . .	960	8,841	9¼ "
April, . . .	2,317	20,873	9 "
May, . . .	2,249	23,471	10½ "
June, . . .	4,186	24,351	6 "
July, . . .	7,682	43,712	6 "
August, . . .	2,457	18,934	8¼ "
	20,852	151,646	

The great proportion of the fish caught in these rivers was exported: there was a good deal consumed at home, and a considerable quantity sent to Dublin, which is not included in the above statement. All the fish exported was, in the first instance, sent to Bristol. There is a remarkably fine description of fish taken in these rivers up to the 29th September. It was the practice of the Mayor to allow the scales to stand in the fish market till the 29th September, although the season closed on the 12th August; he was told by one Mayor that this was done in consequence of the fish being so very good up to the 29th September.

Passage weir.

Spring fish.

Glenwater weir.

Spents.

Best months.

Comparative take.

Sprat weir.

Suitable season.

George Elliot, sworn.—Is a fisherman at Passage; and has been fishing in this country these thirty-five years. He fished for one season in Lough Foyle. Manages Mr. Coghlan's fisheries; and has now a weir of his own at Glenwater, in Wexford. Fished the Passage weir for twenty years; it was put up in 1801. He undertook the management of it about thirty-five years ago. About twenty years ago they used to commence fishing the Passage weir about the middle of February, and sometimes fished till December; but, at other times, they stopped earlier. It was mostly for Hake they fished so long, as the Salmon was then very little good. Spring fish are the fish that spawned early, and came to strength soon: they are, undoubtedly, the fish that have spawned. Fish of 5 lb. weight are mother fish; and he never saw a Spring fish under that weight. He has fished in England and Scotland, but he cannot say whether it is the general opinion there, that the Spring fish are those that had spawned. There was no Close Time observed twenty years ago. He has the Glenwater weir three years. The first year he began to fish it in May, and the two last years some time in February. Got nothing at all in February either year, nor did he kill any fish till May. At Coghlan's weir, which was put down at the same time, there was very slack fishing in February—not exceeding ten in a tide: it was not fished in February, 1843. Used to get a great deal of spents in February, but he always let them go. Knew of spents being caught again, in good condition, in about six weeks after they had passed down. August is the best month in the Glenwater weir; but he then gets scarcely any thing but Peal. His is only an ebb weir: his contract with his landlord does not allow him to kill on the flood. July and August are the best months at Coghlan's weir. The wind greatly affects the take: when it is south-east, most fish are killed in this harbour on the Western shore: the fish are then going before the wind. He has tried the bag net, but without success. It was tried at Baginbun and Fethard: it did pretty well in the Peal season, but was too expensive. Did not fish at Coghlan's weir in September, nor was there much fishing there at the latter end of August. He catches heavy fish in August: the pea is not large, but it is noticeable; and though the fish are good for use, they are not what they were earlier. They are getting bad every day in August. The fish in September are much inferior to those in July; they are then advancing in pea, and he has had facilities for observing them, as he was in the habit of curing the fish. Believes there are more fish taken now in the harbour and estuary than formerly. There are now more traps of different kinds, but they do not take half the fish that might be taken, without injury to the stock for breeding. Knows the use of the "still net," but never tried it here. This year has not been so good as 1843. Has a Sprat weir the same as the Passage weirs, except that it has one long wing. It fishes on the ebb, and is netted. He has been fishing it these six years, and during that time it took but two Salmon. They were prime fish, and he was surprised that it did not catch more, as it is such a likely plan for catching them; but when they get into the bag they turn out again. Fishes it from the 1st September to the 1st January, and did not make £3 by it any season for the last four years. The side wings of the Sprat weirs are to gather the fish in shoals into the bag: they get Herrings and Hake also in these weirs. Taking into consideration the stocking of the river, and the absolute increase of the fisheries, he would have the season commence on the 1st March, and end about the middle of September. He would close February, because of the quantity of spents that are caught then; and he is of opinion that there would be a sufficient run of fish after the middle of September to stock the river if they

were properly protected. Caught more good than bad fish in February, but would take off that month, in order to let the spent fish coming down go into the sea and get mended.

Michael Dobbyn, esq., sworn.—Is tenant to the Passage and Crook weirs these two years. In 1843 he commenced to fish on the 8th February, and continued to the 1st September; and in 1844 began on the 1st February, and ended the 20th August. Took in both weirs,

1843.	New Sal.	Old.	Weight of new.	Price.	
February 8th to 28th, -	126	7	1,367lbs.	1s. 3d. to 1s. 5d.—Gross amount, £88 4s. 5½d.	Produce.
August, -	603	0	4,075lbs.	0s. 3½d. to 0s. 4d.—Gross value, £65 12s. 2d.	
1844.					
February, -	112	6	1,068lbs.	2s. 0d. to 1s. 0d.—Gross value, £72 17s. 11d.	
August to 20th, -	334	0	1,766lbs.	0s. 6d. to 0s. 4½d.—Value, £40 18s. 0d.	

In March, 1843, caught four or five spent fish, and in April twenty-five spents among a much larger proportion of good. The prices were much higher this year, owing to the scarcity of fish. Got 2s. 0½d. in February this year. April is the best month for Spring fish, and July and the beginning of August the best time for Peal. He first caught Peal in June. Fry go down in April and May. He observed at that time a chance one in the weir, which was afraid to go through, and lay on the ground. This year was not near so good as last. The south-east wind is best for his weir: it kills on both flood and ebb. The best Open Season to bring the fisheries to their maximum value would be from the 1st February to the middle of September. He thinks enough of fish will go up afterwards to stock the river. The pea is advancing in the fish in September. February is more valuable, as it brings the greater amount of money, but there is a greater quantity of fish caught in September. Immense quantities of fish are caught in November and December full of spawn, and weighing twenty-two and twenty-three pounds each. If the month of February be taken off, and the whole of September added, the greatest quantity of fish will be taken; but in the latter end of September they are advanced in pea and milt. The quantity taken in September would be nearly four times as great as that taken in February. Knows nothing whatever of spawning or of the upper part of the river. The fish in September are more advanced in pea than in August, and more in August than July.

Mr. Pierce Cox, sworn.—Fishes at Ardeen on the river Barrow. About the middle of August the Salmon change colour, but they are still good. In September the colour is not so good, and the pea is increasing; but up to the middle of that month, the fish are very good, firm, and fit for use. Witness has a head weir. The gross quantity of fish caught in February is more valuable than that caught in September. He began to fish the 12th February this year, but used to commence before on the 1st. Catches a great number of spents in February, and a few only in March. Part of his weir extends about a perch beyond low water mark. Thinks the best Close Season would be from the middle of September to the 1st February.

Mr. A. N. O'Neill.—Is proprietor of the Woodstown and Knockboy weirs. Thinks the best Open Season would be from the 1st or 12th February to the 20th or 29th September. The following returns are correct.

Number of Salmon and Salmon Peal taken in the Woodstown Fishery, in the years 1842 and 1844.

1842.	Salmon and Peal.	
First fish taken, March 30th,	1	
April,	62	
May,	46	
June,	215	
July,	533	
August,	288	
days. —		
divided by 191	1,145(6, average number each day.	
	1,146	
	.. 19	

There were fifty-six fish taken on the 17th July, weight 223 lb., sold as 3d. per lb.—amount, £2 15s. 9d. The fish averaging about four pounds weight.

Total number in 1844, 884, divided by 191 days, gives an average number of 4 each day.

Knockboy Weirs.

1842.	Salmon.	1843.	Salmon.	1844.	Salmon.
June, . . .	255	February, 18, of which 4 were bad.		June, . . .	105
July, . . .	564	June, . . .	98	July, . . .	319
August, . . .	314	July, . . .	132	to 20th August, . . .	142
	1,133	August, . . .	72		566
			320		

In 1842 the wings or leaders were forty or fifty yards more extended than they now can be according to the new Act.

APPENDIX, No. II. *Mem.*—Effect of wind and weather upon fish may be lost by a change to a later season—
now 12th February.

The Snir.

From February 25th, to August 17th, 1844.

February, 2 Salmon			
March, 15 "		1,133 total for 3 months, 1842.	
April, 34 "		566 "	1844.
May, 66 "		253 "	1820.
June, 105 "			
July, 319 "			
17th August, 142 "			
683			

Prices of Fish.

	1820.	1821.	1822.	1839.
February, .	—	—	2s. to 1s. 10d.	1s. 6d. to 2s. 3d.
March, .	—	1s. 3d. to 8d.	1s. 4½d.	1s. 4d. to 1s. 8d.
April, .	—	1s. to 6d.	11d.	1s. 4d. to 1s. 6d.
May, .	—	6½d. to 5d.	1s. to 5d.	1s. to 1s. 2d.
June, .	—	8d. to 6d.	5d.	6d. to 10d.
July, .	—	5d. (highest)	4d. to 3½d.	4½d. to 6d.
August, .	—	5d. (highest)	3½d. to 2½d.	5½d. to 6½d.
September, .	4d. to 3½d.	—	—	5d. to 6d.
October, .	4d. to 3½d.	—	—	—

The Waterford Inquiry, after the evidence of Mr. O'Neill, was adjourned to the following day, at New Ross.

Produce.

No. 1.—List of the Number, Weight, and Price of Salmon caught by Mr. Michael Dobbyn, in his two Weirs at Passage and Crook, from the 20th to the 31st August, 1843, and from the 1st to the 12th February, 1844.

Date.	No. of Fish.	Weight.	Price per lb.	Amount.	Date.	No. of Fish.	Weight.	Price per lb.	Amount.
1843.		lb.	d.	£ s. d.	1844.		lb.	s. d.	£ s. d.
August 21,	21	136	4	2 5 4	Feb. 1,	3	38	1 10	3 9 8
" 22,	2	24	4	0 8 0	" 1 (Spent)	—	—	—	0 3 0
" —	15 (Peal)	83	3½	0 11 2½	" 5,	4	31	2 0	3 2 0
" 23,	23	150	4½	2 16 3½	" 6,	5	49	1 10	4 9 10
" 24,	12	85	4½	1 11 10½	" 8,	5	47	2 1	4 17 11
" —	15 (Peal)	124	4	2 1 4	" 9,	3	35	1 8½	2 19 9½
" 25,	19	144	4½	2 14 0	" 1 (Spent)	—	—	—	0 2 6
" 28,	16	110	4½	2 1 3	" 11,	2	15	1 5½	1 1 3
" 30 & 31,	9	65	4½	1 4 4½	" 1 (Spent)	—	—	—	0 0 6
					" 12,	3	25	0 6½	1 18 6½
	132	921	—	15 13 8		28	210	—	22 5 0

No. 2.—Memorial of the Fishermen of the River Barrow, to the Honorable the Commissioners of Inland Fisheries of Ireland.

To the Honorable the Commissioners of Inland Fisheries of Ireland.

The Memorial of the Fishermen of the River Barrow most respectfully sheweth,

That memorialists have met and consulted together on the best interest of the public and themselves, and after maturely considering and comparing the seasons for the preservation of the Breeding of Salmon, have come to the conclusion that the best part of the year to leave open for taking fish, is from the 1st of February to the 1st of September, because they found almost the entire taken in September in pea, and twenty to one, at least, more than in February; but the fishermen of Ross think, erroneously, that it is their interest to leave September open, because they can make no progress on the tide water in February, from the cold and consequent scattering of the fish.

Memorialists therefore respectfully hope that your Honorable Board will take this serious matter into consideration, for the public good, and leave the said time, from the 1st of February to the 1st September open; you will thereby serve a great number of poor people, depending on the fishery for support, injure no one, and secure the best interests of the public.

Memorialists have entered into a resolution, if their prayer be granted, to protect the breeding Salmon, and try to watch Locks and Mill-dams, and small rivers, at night, where vast numbers are speared, hitherto so destructive to the fishery.

Memorialists further hope your Honorable Board will not neglect the prosecution of the illegal and unjust Scotch weirs which have been the destruction of Salmon, and consequent scarcity of them in our noble river, and have ruined many a poor family that was depending on fishing for their support.

And your Memorialists, as in duty bound, will ever pray.

(Signed by Seventy-four Fishermen.)

Season.

No. 3.—Memorial of the Fishermen of the River Nore, to the Honorable the Commissioners of the Inland Fisheries of Ireland.

APPENDIX, No. II.

The Suir.

To the Honorable the Commissioners of the Inland Fisheries of Ireland.

The Memorial of the Fishermen of the River Nore most respectfully sheweth, That Memorialists have met and consulted together on the best interest of the public and of themselves, and after meeting and maturely considering and comparing the season for the preservation of the Breeding Salmon, have come to the conclusion that the best part of the year to leave open for Salmon to be taken, is from the 1st of February to the 1st of September.

(This Memorial continues in the same words as the preceding, and is signed by 108 Fishermen.)

No. 4.—The Tributaries of the Nore.

The Erkin joins, at Darrow,	The Dinane River,	The Jerpoint Brook,
„ Grange Brook,	„ Blackmill, Kilkenny,	„ Columb-kill Brook,
„ Attana Brook,	„ Hebron Brook,	„ Argula Brook, & many other
„ Freshford Brook,	„ King's River,	Rivulets of minor importance.

The Tributaries of the Barrow are,—Low Grange Brook, Barrow-mount Brook, Acore Brook, and Borris Brook.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs., at
NEW ROSS, TUESDAY, DECEMBER 3, 1844.

THE SUIR, NORE, AND BARROW, AND THEIR TRIBUTARIES.

THE BARROW.

The Barrow.

The inquiry into the Suir, Nore, and Barrow, adjourned from Waterford, to suit the convenience of a number of persons who lived at a distance from the latter place, was continued at New Ross on the day above mentioned.

MR. MULVANY briefly addressed the persons assembled. He alluded to the peculiar circumstances of the locality, the non-observance of the law both as to the size of the mesh and the weekly and annual Close Times, and the absurdity of expecting that those above would spare the nurseries for the fish, if that part of the law, the observance of which alone would give them an interest in protection, were violated by the people in the lower parts who had the only fisheries of any commercial importance. He called upon the cotmen to co-operate with the upper proprietors in protecting the rivers, and to unite together in observing the law themselves, and enforcing obedience to it in others. Speaking of the “snap net,” so extensively used by the fishermen of that locality, he said that it was a most inefficient mode of capture, and that they who had all the public right of fishing should adopt the most improved methods of taking fish.

MR. PATRICK MAGEE, on the part of the cotmen, said, they were desirous of adopting that method only which gave the most employment. Before the erection of the stake nets they had a most abundant source of labour, and the fishery was very good; but now, if they were to adopt the use of seines, six or seven of those implements would fish the entire river, and thus hundreds would be deprived of the means of earning a livelihood.

MR. O'DOWD observed, that seines were drawn on the River Carra, in Kerry, and it often happened that the last net was the most successful.

STEPHEN RYAN, sworn.—Lives at Graiguenamanagh, about three miles above the first lock, on the river Barrow. The first lock is at St. Mullins, to which the tide flows up, but it never flows over the navigation weir there. Witness is a shoemaker, and a fisherman, and fishes with a drifting net, that is, a snap net, between two cots; fishes also with a rod, and has done so since he was able to carry one. Fishes from Milford, above Leighlin Bridge, to Ross; fished several times about half a mile below Bagnalstown, but his constant fishing place is from Graiguenamanagh to St. Mullins. Fished in October, November, December, and in fact every month in the year, but has not done so these three or four years. There are several persons who fish in his neighbourhood; there is one company of four men at Goresbridge, and he heard that there were several crews of fishermen at Leighlin Bridge. All these fished with the snap net, and sometimes, but not generally, encroached on the Close Season. Did not know of any one being punished for fishing in the Close Time, but still they were afraid to do so. Some few would go out once or twice in a month; they were unwilling to take fish for their own use, but sold whatever was caught in the prohibited time. He killed so very few in the Close Time that he did not think it worth his while to be going out. He fishes in from six to twelve feet depth of water; there are shallows too, scarcely three feet deep, over which they fish; these are

River Barrow.
Snap net fishery.

Time of fishing.

Observance of Close Time.

APPENDIX, No. II. <i>The Barrow.</i>	<p>the places in which the fish spawn, but he never saw the Salmon on the pits. Does not know of any strokealls or spears being used, but he heard that they were made use of about Gore's Bridge. The fish begin to make their beds in October, in the Barrow. Cot fishing is carried on at night, and he was out every night that any one could go out; in his opinion he was out at night during half the Open Season. Fish spawn in November, December, and January. He has killed a spawning fish in February, but would kill twenty white fish for one spent in that month. He killed a new fish on the 8th January, but does not usually fish in January. Catches very many in February, if the weather be good, and only kills an odd spent in that month. He fishes down with the stream, and kills the fish immediately when they are brought into the boat, so that spent fish cannot escape in cot fishing, as they cannot wait to examine what are good and what otherwise. The great bulk of the spents come down at the latter end of February; they go down in floods, and are not, therefore, seen in their passage. He has caught them in March, when they were detained in the river by obstructions. Never saw any in June, July, or August, but killed some in May. The Peal first run up in June; there may be an odd one in May, but the bulk are found in July. There are great quantities of large fish with them in June. The spents he killed in May were the fish that went very high up, and were detained above by want of water. There are very good fish, both Peal and Salmon, in August; but the weirs are very destructive to the fishery in that month. There is no pea or milt worth noticing in the August fish, nor is there any sign of it in February, March, and April. The pea is much larger in September than in August—it is then developed; but the fish are then very good for eating. He did not fish in October more than once in five years. He would scruple killing spawning fish, and his neighbours very rarely destroy one. Fry first come down in April; does not think he saw them in March. Has seen them in June, when they could not get down in consequence of the obstructions, and their heads were then swollen, and they were getting blind. These obstructions are the mill and navigation weirs. There is no passage whatever in the mill weirs, and they are much more destructive than the others. He has been thinking of the question of season, and is of opinion that the best Open Season would be from the 1st February to the 29th September; this would be the best for all the fisheries he knows, from Milford to Ross Bridge; it would, in his opinion, be the best for catching most good and least bad, if the fish were preserved in the spawning beds. Is of opinion that the fish which go up before November, go to the highest parts; and that it would be best not to let the fish go up till that month, because then they would spawn in the Barrow, where they could be best preserved, and not go to the brooks, where they are destroyed. His father told him that there was an abundance of fish in the river before the Scotch weirs were put up, and the navigation weirs were then erected. After the Scotch weirs were cut down, the fish came up in shoals.</p>
Spawning.	<p><i>Edward Delahunty</i>, sworn.—Was water-bailiff on the Barrow for two years, 1836 and 1837; and his district was from St. Mullins to Bagnalstown. He lives at Clohastha, and fishes with a snap net. Agrees with the last witness as to the spawning time of the fish. He frequently saw lights used in November. Never saw fish actually spawn, but thinks they do so in November, December, and January. He himself killed a Slat fish on the 10th November. Thinks the fish spawn earlier in the Barrow than in the small streams. Has seen persons fish at the locks or navigation weirs. Nets were fastened on the upper sluices, and the lower gates were shut. Salmon were caught in these nets, and Fry and Slat fish were killed regularly there. He saw Fry dead in the chambers, after they had dropped from the net. He has seen Fry with the lock keepers, and prosecuted them for taking Salmon at the locks. He went on one occasion to examine a lock, and the keeper forced down the sluice for the purpose of breaking away the net. The net was taken up, and Salmon were found in it. This was at Ballyellin lock, near Gore's Bridge, and it occurred about nine or ten years ago. Witness prosecuted and convicted the keeper for that act. It is well known that Eel nets were constantly set in those locks; and if an examination were made that night, he would venture to assert that some would be found. He saw the nets set on a lock within the last two years; the lock he speaks of is at Ballinagrane, at this side of Borris. He did not go amongst any of the other locks. Most spent fish are killed in the latter end of April and May; they always come along with the Fry, and that is the time the Fry come down. The Fry begin to go down at the latter end of March, and continue to July; but he has not killed Fry so late as that himself. Does not know of any passage but one having been made since the late Act, and this was at Ballinagrane weir; it is a pass straight down the face of the weir; there were previously no waste gates in the mill dams, nor any passages for Fry, except under the wheel. There was another mill on the river, and he heard that a horse kish, with furze in it, used to be placed below the wheel, for the purpose of catching fish. He at one time found a drum net set on the Queen's gap, in the navigation weir, at St. Mullins.</p>
Migration.	<p><i>John Eaton</i>, sworn.—Is a water-bailiff on the Barrow, below Saint Mullins, and in the tideway; he also watches the Poulmounty river. Was in the habit of fishing till about thirty-five years ago, but stopped from that time until last season, when he commenced again. Heard the evidence of the last witness, but differs from him so far as the Poulmounty river is concerned. He has seen the fish spawn there; they begin about the 1st December; he often caught <i>full fish</i> in March, but the greatest quantity spawn in February; he has killed hundreds of them there in that month. The Poulmounty is a small stream, it flows into the Barrow below Saint Mullins, and is subject to floods, which rise suddenly. Witness has not killed any of the spawning fish these two years, nor are</p>
Obstructions.	
Suitable season.	
Former abundance.	
Spawning.	
Destruction.	
Prosecutions.	
Spents.	
Fry.	
Passages over weirs.	
Poulmounty river.	
Spawning.	

they killed there now; the small nets with which they used to be taken, were given up to him when he threatened the people who had them. It is since he became a water-bailiff that he did not kill the spawning fish. There was a head weir on the Poulmounty, which was a great obstruction; there is a mill dam there also, in which he made a gap several times, but it was built up again; there is a waste gate convenient to the weir. Great numbers of fish spawn in the Poulmounty. He has known one man to kill about 100 breeding fish in it at one time. They generally stopped fishing on the 29th September, but a few fished after that time. Thinks it would serve the public interests to close February. From the 17th March to 10th October would, in his opinion, be the best Open Season. Otters destroy the fish in great quantities.

Mr. Patrick Murray, sworn.—He has been dealing in fish these twenty-five years; and at Graiguenamanagh. Purchases fish from the people from St. Mullins to Bagnalstown, and has an account of the gross quantity purchased from them for fifteen years: it is generally the fish caught below St. Mullins that he gets, and he purchases both the good and the bad. Does not purchase any Salmon after the 29th June; because being Peal, it is then too small to bear carriage to Dublin and Liverpool; besides there is no value set upon Salmon in Dublin in July. The Ross is better than the Dublin price after June: the Dublin people do not consider them so strong or so good after that month. The water there gets low in June, and the Salmon cannot get up, so that it is only the fish that remain in the pools that are got in July. There are some very red fish caught in June, if the water be low. There are very few taken in August and September; if the water be high in those months, those that taken are good; but if low, they are then foxy. The fish are advanced in pregnancy about the 1st September; they are then very full of pea: the same is to be said of the fish at the latter end of August. In 1840 he gave £500, and in 1841 £400 solely for fish caught in the fresh water, from St. Mullins to Bagnalstown. 1840 and 1841 were very good seasons. The following gross return of good and new Salmon bought in the month of February in the undermentioned years, is correct:—

February.	Salmon.	lbs.	
1839,	30	240	} about 10d. per lb.
1840,	23	203	
1841,	95	793	} 14d. do.
1842,	21	187	
1843,	66	577	} about 10d. do.
1844,	41	413	

There are more good than bad fish in February. He gets a few spents in March. Had a Scotch weir at Duncannon, for ten years, up to 1836. It then made about £150 a year, clear of expense; but it was more valuable then than now. The Passage and Scotch weirs were not up in 1839, 1840, and 1841. If the weather were bad in February and March, they would get very little fish. He never fished the weir till the middle of March, because the place where it is situate is much exposed. There was but the *name* of protection on the Barrow till within the last two years; there was no payment given to the bailiffs. They do not fish generally in the latter part of the year: in fact they can neither fish nor poach in the part he speaks of, in consequence of the floods. From the 1st February to the 1st September would be the best Open Season for the general good; and a sufficient number of fish would go up after the 1st September to stock the river. Does not buy the fish after June, because he could not make money of them in Dublin. One Salmon caught in February is more valuable than five in the latter part of the season. Calls the spawned, and fish about to spawn, all bad. Gets, in Dublin, 2s. and sometimes 1s. 4d. a pound. The Waterford is sometimes better than the Dublin market. He has not taken bad fish these two years, nor will he in future; his contract is now for the good fish only. Does not ice his fish—sends them all by coach. Attributes his getting more fish in 1842 and 1843 to protection and the state of the weather; and if the protection were extended, and passes made over the weirs, he would get a great deal more in February. Is quite convinced that there are more bad fish taken in September than February; and if February be severe they cannot fish at all.

Stephen Matheus, sworn.—Is a fisherman, and lives at Ballyogan, county Kilkenny; has been fishing since he was able to do any thing, and he is now about thirty years of age. He has been cot-fishing these ten years; and when the weather is good he fishes every month; has fished at Christmas and Hollantide. There are a great number of cots between St. Mullins and the mouth of the Barrow; he thinks the people are afraid to fish in the Close Season, but they certainly would if they could. He sometimes fishes till about ten o'clock in the morning. He got two new fish in January last year. February is the best month in the year, if the weather be good; but if there be one day's rain they cannot fish for a fortnight after, because the fish then go up to the surface of the water and scatter about. The Peal come up in July—there may be a chance one in May; but July is the best month for them. There is a greater quantity of fish caught in that month; but the price is very different from what it is earlier. Fishes above the weir at St. Mullins, and there is no hinderance to any one fishing from St. Mullins to the sea. The fishery of the Barrow is open to the public. They get more bright than foxy fish in August; he would, however, sometimes take four or five foxy fish and none bright in that month. The fish that come up early—say in June and July—turn foxy from being in the river. There are very few foxy in the tideway in August. Thinks that the present law is the best; and that whatever gentleman made it he ought to go on making laws, for it would be hard to better

APPENDIX, No. II.

The Barrow.

Obstruction.

Fishing time.

Suitable Season.

Value of fishery.

Produce.

Protection.

Suitable season.

Prices.

Advantage of protection.

Fishing time.

Peal.

Season.

APPENDIX, No. II.

The Barrow.

Prices.
Season.

Produce.

it. Thinks if they stopped on the 20th August there would be a greater number of spawning fish going up the Barrow, to stock it, and also that they would spawn earlier.

Michael Murphy, sworn.—Is a fisherman; knows Inistioge; and fishes with a snap net. Has no account of the quantity caught by him in the season. Always found February as productive as any other month; but if high water came it was a prevention to their mode of fishing. August and September were bad months in late years, but they were very good formerly. Both February and September were better in former times, and he attributes all this to the Scotch weirs. February this last year and the year before was better than September; they got more fish and more money for it in the former month. He got 16*d.* a pound for his fish in February last, and from 3*d.* to 4*d.* in September. Thinks the best Open Season would be from the 1st February to the 12th August. Thinks it better to stop on the 12th rather than the 20th of August, because then more fish would go up the river. He does not think that there are any impediments on any of the rivers of this locality, to prevent the fish from going up.

John Hunt, sworn.—Lives at Inistioge, and is a dealer in fish; was in the habit, till lately, of buying both good and bad fish. There are two others purchasing at Inistioge besides himself. Has an account of all the good fish bought by him in the months of February and March for the last four years. He has bought no bad fish these last two years. Mr. Tighe's fish are included in the following return, which is correct:—

	Salmon.	lbs.		Salmon.	lbs.
1841, February, 29		392	1841, March, 68		707
1842, „ 20		190	1842, „ 88		825
1843, „ 73		690	1843, „ 111		932
1844, „ 22		226	1844, „ 88		478
Total, 144		1,498	Total, 355		2,942

About one-third of this fish was purchased at Inistioge. There is very little fish to be had in September from this locality.

Value of fishery.

Cots.

Season.

James Kavenagh, produced on the part of the Ross fishermen, sworn.—Lives at New Ross, and is a water-bailiff and snap-net fisherman. He got £25 for the fish which he and his three partners caught last year; and they fished from the 20th February to the 29th September. Caught more, by £5 worth, in the year 1843. There are, from Inistioge to Ross, and below Ross, 300 pairs of cots, and 1,200 men engaged in the snap net fishing. He thinks that they could fish in February as well as those in the higher parts. The snap net is hauled along the bottom of the river, although he is perfectly aware that the Salmon sometimes run near the surface. Allowing a sufficient time for the fish to go up, the best Open Season would be from the 1st March to the 29th September. This is not exactly the general opinion of those with whom he has conversed, and he was a good deal in communication with the men who own the three hundred cots. Some give their opinion according to their private interests, but the majority would wish for a season from the 1st March to the 1st October. He catches good clean fish in February. He has also seen spent fish caught in that month, and a good many of them. The spent fish cannot be well allowed to escape when once taken. He would not catch so much breeding fish in September as in February, but more in the latter end of September than the beginning, and more in any part of that month than in August. They catch more fish in September than in February. He does not agree with the other witnesses, that the greatest quantity of large good fish come up in June; the good heavy fish come up both before and after the Peal. They catch fish heavy in pea in October, and from that up to February. The gentlemen pickle the very best fish, and they do not begin to pickle till September, for they always wait till the fish gets cheap.

Protection.

Former abundance.

Mr. Magee observed that it was unnecessary to examine any other of the cotmen, as the general evidence was similar to that given by the witness Kavenagh.

Mr. Patrick Magee, sworn.—Has been interested in the fisheries since 1834, and was treasurer from that time till 1840 to “St Peter's Society,” for the protection of the fisheries. This association was composed of both gentlemen and fishermen, and was established in 1843. The fisheries were at that time at a very low ebb, compared with what they had been twenty years before. They commenced their efforts by collecting money amongst the gentlemen and fishermen, for the purpose of prosecuting the Scotch weirs, and they succeeded in obtaining convictions against them, both in Wexford and Waterford. Previous to the erection of these weirs, in 1809 or 1810, the fishery was very abundant; but, in 1833, when their labours commenced, it was reduced to the lowest ebb. There were not then more than twenty nets on the entire river; and from the time they succeeded against the weirs until 1840, the fishery daily improved. As the fishery increased, the cotmen came out again; and in 1840 there were about one thousand men engaged in snap net fishing. The small weir owners previously assisted in prosecuting the Scotch weirs; but, in 1840, the cotmen cut down one of the weirs of their friends, and in consequence of that act he separated himself from them. The fishery was very lucrative in 1839 and 1840. He speaks of the fishery from Inistioge and St. Mullins to Annace, below Ross. The weirs were not up during these good years except occasionally, for they were always thrown down when put up. He thinks the fishery was good up to this year, which was a bad fishing season; and he attributes this falling off to the weirs having been erected this year. This season was also remarkably dry, and he believes that the drought also prevented the fish from running up. There are about 300

nets, and 1,200 men, between St. Mullins and Annace; and, before 1809, from the crowds of people he witnessed in Ross, who had been formerly engaged in cot fishing, he believes there were formerly double that number. There were eight water-bailiffs employed in 1836 and 1837, and they were continued up to near 1840. They watched the river from Ross to Thomastown and Graiguenamanagh. One man got £3 10s. per annum; another, £1 13s. 8d.; a third, £6; a fourth, £2 1s.; a fifth, £1 4s.; and the sixth, 18s. 9d. The Kilkenny society protected from Thomastown to Ballyragget; and the result of this protection was, that the fishery greatly increased. "St. Peter's Protective Society" has not been in existence since 1840; and from the period of its foundation until it was dissolved, it spent the sum of £80 2s. 3d. in prosecuting the weirs and protecting the fisheries. The operative fishermen are still inclined to continue the protection. He has no doubt but that such a society would do much good, but its re-existence depends on the gentry, who alone could call it into being. Witness has considered the subject of the Close Season much, and is of opinion that the fishing time best calculated to promote the interests of all parties would be from the 1st March to the 29th September. This would be best for both the weir owners and the cot fishermen. Witness has no knowledge of the state of the fish in the upper rivers in the month of September. He has a return of the number of fish exposed for sale in the fish house, New Ross, from the 8th February to the 30th March. The gross number was 425; of that quantity, seventy-six were bad, and the remaining 349 good fish. The following is a correct return:—

APPENDIX, No. II.

The Barrow.
Number of cot
fishers.
Expense of
protection.

Season.

Produce.

State of the Salmon Fishery in the Barrow and Nore, 1844.

Date.	REMARKS.	Good.	Bad.	Total.	Date.	REMARKS.	Good.	Bad.	Total.
Feb.					March				
8	2 Very bad fish,	6	2	8	5	3 Bad,	6	3	9
9	2 Spent cocks, 1 unclean hen,	9	3	12	6	1 Not fit for use,	7	1	8
10	1 Hen, unclean, but spent,	6	1	7	8	2 Very bad,	6	2	8
12	None appeared from sea,	11	4	15	9	1 Ditto,	2	3	5
13	1 Large bad fish, sold at 2d. per lb.,	9	2	11	11	2 Ditto,	3	4	7
	good, 1s. 2d.,	9	2	11	12	1 Ditto,	8	1	9
14	2 Large Salmon, very bad,	12	3	15	13	1 Ditto,	7	2	9
15	1 Bad, a stormy day,	5	1	6	14	1 Not bad, but slack,	6	1	7
16	3 From sea, price 1s. 4d. per lb.,	5	0	5	15	1 Spent cock,	10	1	11
17	1 Not very bad,	7	1	8	16	Good fish,	7	0	7
19	2 Very bad and large,	12	3	15	18	2 Bad,	10	2	12
20	1 Not fit for use,	8	1	9	19	1 Large bad fish,	9	1	10
21	The good sold at 1s. 5d. per lb.,	8	2	10	20	1 Not very bad,	11	1	12
22		8	0	8	21	1 Very bad,	13	2	15
23	2 From sea,	4	1	5	22	2 Bad,	10	3	13
24	2 Very bad,	6	2	8	23	2 Very bad,	15	2	17
26	1 Ditto,	9	1	10	24	1 Ditto,	6	3	9
27	2 Ditto,	8	4	12	26	1 Middling,	4	1	5
28	3 Ditto,	8	3	11	27	Very good, from sea,	9	0	9
29	1 Ditto,	5	1	6	28	Ditto,	4	0	4
March					29	1 Bad,	9	1	10
1	1 Ditto,	7	2	9	30	1 Ditto,	14	1	15
2	2 Ditto,	9	2	11					
4	2 Ditto,	11	2	13					
							349	76	425

The Salmon fishing up to this, in my opinion, is one-half less than what it was last year. This fishery is visibly decreasing since the Scotch weirs were erected, and will go down more rapidly than before, in consequence of the new weirs being more extensive and more numerous. There is little or no care taken of this fishery or the rivers Barrow and Nore, the water-bailiffs not being paid. April month's fish nearly doubled: an odd bad fish taken. May's fish progressing in same proportion as April. June month—fish still increase in numbers. July month was not near so good as the same month in the previous year; the fishermen complained of their not getting the fish. August—fish scarce and in good condition.

Aug.				Sept.			
20	1 Spent cock,	20	1	21	9	1 Heavy,	9
21	Very prime,	18	0	18	10	2 Slummy cocks,	13
22	1 Hen fish, heavy,	13	1	14	11	1 Heavy hen,	7
23	Good, from the sea,	12	0	12	12	Good from the sea,	7
24	2 Heavy hens,	6	2	8	13	1 Heavy hen,	9
26	All good,	15	0	15	14	2 Cocks, spent,	12
27	Ditto,	18	0	18	17	1 Spent cock,	17
28	2 Heavy; saw 1 open, though a large fish, the quantity of pea was small,	8	2	10	18	1 Heavy hen, but in good plump condition,	8
29	2 Spent cocks,	16	2	18	19	2 Spent cocks,	4
30	1 Spent cock,	14	1	15	20	3 Fish, very bad,	6
31	Most of them covered with sea lice,	11	0	11	21	Spent fish and cocks,	8
Sept.					23	2 Very bad fish,	2
2	1 Hen, heavy,	10	1	11	24	1 Spent cock, and 1 spent hen,	3
3	1 Ditto, and spent cock,	6	2	8	25	2 Very bad fish,	4
4	Good fish,	6	0	6	26	4 Ditto,	3
5	1 Heavy,	14	1	15	27	1 Stock ditto and 4 large fish,	4
6	Good,	8	0	8	28	3 Good fish,	3
7	Ditto,	4	0	4			
							336
							44
							380

	Good.	Bad.	Total.
From the 8th February to 30th March, there were	349	76	425
From 20th August to 28th September,	336	44	380

APPENDIX, No. II.

The Barrow.

Directed the water-bailiffs to put up notices to stop fishing on the 28th September.

October 3rd. There are some of the cotmen fishing up the rivers Barrow and Nore, and bring the fish in bags to town and sell them privately. Some of the flood and ebb weirs are also fishing.

There should be particular care taken not to give licences to any weir to kill Sprats; they must and do kill Salmon when fishing with Sprat nets. Sprats are generally taken by boats and nets in the harbour's mouth.

The breeding rivers flowing into the Barrow and Nore are numerous and extensive; the mouths of them are stopped by mill dams and other obstructions, and require to be examined for the purpose of removing those obstructions, and placing Queen's gaps in their proper places. The lock-keepers on the Barrow canal commit great destruction on the spawning fish and spawn on its way to the sea.

(Signed) P. MAGEE.

A conversation took place between Messrs. Barry, Mulvany, French, and Magee, in reference to the Sprat weirs on the Barrow.

Mr. Magee was opposed to the granting of licences to any weir to kill Sprats, because the Sprat nets necessarily caught Salmon also.

Mr. BARRY recommended the parties to frame such a plan for taking Sprats as would satisfy the Commissioners that it could not be used for the taking of Salmon.

Mr. MULVANY said that it was quite clear that the Sprat nets at present did not catch Salmon to any great extent; but it was necessary that the possibility of their being abused, and employed for the taking of Salmon should be removed. The weirs should be such as that they *could not* take Salmon; and a guarantee on the part of the proprietor that he *would not*, was quite insufficient. There was a saving, under the 39th section, for some weirs *previously erected for taking Sprats and White fish*, under certain restrictions, but that section never legalized *Salmon weirs* for the taking of White fish. The implement to which the Commissioners would grant a licence, would be that only from which the possibility of abuse, to the detriment of the Salmon fishery, would be removed.

LETTER from HENRY CAMPION, Esq., to W. T. MULVANY and J. R. BARRY, Esqrs.

Carlow, 26th November, 1844.

Letter from
Henry Campion, esq.,
to W. T. Mulvany,
and J. R. Barry,
esqrs.

GENTLEMEN—Having read in the *General Advertiser*, that the Commissioners acting in execution of the Acts of Parliament of the 5th and 6th Vic., cap. 106, and 7th and 8th Vic., cap. 108, in pursuance thereof that William T. Mulvany and James R. Barry, Esqrs., Inspectors of Fisheries, would attend at Waterford Court-house, at eleven o'clock, to receive evidence respecting the Salmon fisheries of the several rivers referred to in the schedule thereto annexed, I beg most respectfully to call the attention of the inspectors to the state of the several weirs on the river Barrow, from St. Mullins to Carlow. The Salmon come up that river to spawn during the high water from the middle of October to the middle of January; and, from the number of small rivers emptying themselves into the Barrow, viz.: the Greece, the Ler, the Fishogue, the Burrin, the Douglas, and several others, all spawning rivers, the river Barrow, at that season, is full of Salmon; but in the Open Season they are prevented from coming up, by reason of gaps on the several weirs not being of sufficient breadth, a depth of water to permit them to pass in that season, and by reason of bushes and other impediments being placed therein to prevent them; but the greatest grievance that gentlemen and fishermen of this neighbourhood have to complain of, is the weir at Bagnalstown, which has been raised beyond the proper height by Mr. Crosthwaite, who keeps extensive mills there, so that whatever Salmon escape from St. Mullins to Bagnalstown are prevented altogether from ascending higher.

The gentlemen residing in the neighbourhood, many of whom delight not only in fishing themselves but would wish to encourage those in the humble classes of society who support families by *fair fishing*, would most cheerfully subscribe, and pay any reasonable sum annually to preserve the fish, but are quite disheartened from doing so by the very great and many obstructions given to the Salmon coming up in the Open Season, by the reason aforesaid, but in particular by the weir erected at Bagnalstown, to which the attention of the Inspectors of Fisheries is most respectfully called. I am, gentlemen, on behalf of myself and other gentlemen who delight in fishing,

Your very obedient humble servant,

HENRY CAMPION, Montgomery-street, Secy., *pro. tem.*

To Wm. T. Mulvany and
J. R. Barry, esqrs.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at WEXFORD, WEDNESDAY, DECEMBER 4, 1844.

SUBJECT OF INQUIRY—THE RIVERS SLANEY AND OWENAVARRA, OR COURTTOWN, AND THEIR TRIBUTARIES, AND ALL OTHER SALMON RIVERS TERMINATING IN THE COAST BETWEEN THE HOOK TOWER, COUNTY WEXFORD, AND KILMICHAEL POINT, IN THE SAME COUNTY, TOGETHER WITH THE FISHERIES OF THE COAST BETWEEN THE AFORESAID POINTS.

Mesh.

Lord Courtown expressed a hope that the provisions of the Act in reference to the size of the mesh would be altered. Many persons previously made a livelihood by the White Trout fishery; but now, in consequence of the largeness of the mesh, it was impossible to take any of that fish; and thus a source profit and employment was cut off from the people.

THE OWENAVARRA.

The Owenavarra.

John Paskins, sworn.—Has been game-keeper to Lord Courtown these twenty-nine years. Knows the Courtown or Owenavarra river, but has not particularly attended to the

spawning; he has had charge of its preservation since he entered upon his present situation. The river has been fished exclusively by the Courtown family; and angling is the only mode of fishing that has been pursued on it for some time. There was a weir across it about six years ago; and it was under his charge. It was better than half a mile from the mouth of the harbour; the tide just rippled up to it. They never fished the weir in February; they used to begin on the 1st March, and continued till Michaelmas or about the middle of September. March and April were the best months; and the Salmon caught then were from six and a half to twelve pounds. The weir was never set before the 17th of March, as they did not think the fish in season before that time; and another reason was because the spents were going down in February. There was a run of a small kind of fish in May, of from six to nine pound; and they caught the small Salmon or Salmon Peal in June, of from two to two and a half pounds. The greatest run of them would be from the middle of June to the first week in July; but they would get Peal after July also. The first run of Fry come back soonest as Peal; and those that went down late return late. There is a run of Salmon again in August; but they are not so large as in the beginning of the season. He has caught some in August large in pea; always fished in September, and the most of those he caught at that time were large in pea and milt; he always found the fish declining at the latter end of August; what he means by "declining" is that they were not so good to eat; and fish always decline as they become large in pea and milt. The river has been always protected, but more particularly for the last ten years. The last season was much better than the former one. The fish make their beds the first week of November; and the great bulk spawn in the early part of December. He has seen them spawn up to the latter end of January; if the water be dark they spawn sooner than if it be clear, because they are very shy. Is of opinion that the fish are declining in August, in consequence of their having been in the brackish water for some time. There were seines used in the river about twenty-five years ago, but not since. There is no difference between the time of spawning now and formerly. There are no nets on the upper part of the river. Lights have been used on the river, but not on their part of it. The Spents begin to return to the sea a short time after spawning. The early spawned fish return early. He has known Spent fish to be in the river at the latter end of March; but this has not often happened. The first run of Fry is in the last week of March; the great bulk go down in the middle of April, and they are sometimes in the river so late as the middle of June. They take the fly before the last week of March. There are mill-dams on the river, which impede the passage of the Fry. There are also large pools upon it, particularly at the mill-dams. There is a seine fishery on the sea coast adjacent; the time of their beginning to fish there depends upon the state of the weather, and they stop about September.

James Hector, sworn.—Is a fisherman and a native of Scotland. Has been in this country these ten or twelve years, and has fished various parts of it. Has fished the Antrim coast, Ballycastle, Glenarm, Cushendun, and Cushendall. Fished the coast of Donegal also, and went from that place to Fethard; fished in Baginbun Bay; and from thence went to Lord Courtown's fishery. Has been fishing lately at the mouth of the harbour of Wexford. Generally fished with bag nets; and there was a very heavy sea off the coast of Donegal, where he fished. He tried the seine net at Fethard, but it became filled with mud, and he was obliged to give it up. He used to commence fishing in April, and fished every day after May. The bag net can be fished in a high storm, when they could not draw the seines. The storm should be very great, indeed, that would prevent the bag net fishing. The bag net is a cheaper and improved mode of fishing, and would greatly benefit the fisheries if allowed to be carried on without interruption. Saw the bag net fished in Scotland six, seven, and eight miles from a river, and with great effect: the ten thousandth part of the fish do not go up the rivers. He has used the bag net close to the mouths of rivers before the new Act, but since then has not set it within a mile of the mouths. Many fish come along the coast, near to the rivers, and yet never enter them. He has seen them at the mouths of rivers which they never could ascend: they do not go up the small rivers except in floods; and when the water falls back they return to the high sea, and are lost and devoured by Seals and Porpoises. He has seen great quantities of fish at a great distance from any river, and at the same time scarcely any at the mouths of the rivers. He fished for three seasons at Lord Courtown's fishery, near the river, until he was banished by the Act. July is the principal month for Peal; used to catch from 200 to 300 of them in that month. May and June are the prime months for Salmon, but he commences fishing in March. He has caught fish in the bag nets spent, and quite out of season; they were, however, but few, for they generally go off at once into the deep water. Never fished at Lord Courtown's river in February; the beach there is sandy. The first season he fished there he set one net to the northward; and the second season he had one to the north and the other to the south, and about 200 yards from the pier. He caught there about £130 worth of fish in the year, and he is quite sure Lord Courtown would never make the tenth of that. The nets were expensive, and the fishery too small to compensate for any heavy expense. Three, four, and five fathoms is the best depth of water for fishing; but he has fished in six and seven fathoms of water. He had no net hanging down from the leader. Thinks that the best way of fishing Lord Courtown's river is by the bag net. There is no place distant from a small river so good as near it; but the bag net may do at a distance from large rivers. Has fished off the Wexford coast, and was fishing about two months south of the Point when his net was destroyed: the fishery was just commencing at the time: the Coast Guard were within half a mile of him; he got their assistance, but it was too late. His son, himself, and another man, were going to fish the net, when they saw

APPENDIX, No. II.

The Owenavarra.

Time of fishing.

Protection.

Spawning.

Lights.

Migration.

The Slaney and Courtown fishery.

Bag nets.

Peal.

Best months.

Value of fishery.

Destruction of nets.

APPENDIX, No. II.

The Slaney.

Produce.	the persons destroying it. He applied to the grand jury for compensation, and expects that he will be paid for the loss he sustained, as the presentment has passed the Road Sessions. The best part of the season was past before he could get out to fish again after his net was destroyed. The Slaney Salmon and Grilse are larger, but not richer than the Courtown fish. He fishes the latter part of April, May, and June; and from the 29th July to the 20th August. He had good weather for a long time before his net was destroyed, and the loss was very great before he had another ready. He used to get about thirty Salmon a week before the Peal came in, and caught about 300 Salmon and Peal during the time he fished; but, as he said before, he lost the best part of the season. He would have done a great deal better if he had been allowed to fish for another month longer. The Salmon he caught in August were very good fish. February is the most valuable month, because one Salmon then is worth three in August. The Open Season should extend to the 1st of October; but if they fished that month out the fishery would be destroyed. The fish decline in October; they are not then wholesome food, and it is a disgrace to see them destroyed. If the fish be killed then, the seed of the breeding fish would be also killed; the breeding fish themselves would be killed, and then where would be the means of stocking the river? Some persons would admit of fishing in October; but they did not understand the nature of the fishery; but he should say that if they went farther than the 1st October they would work their own ruin. It is his opinion that the people in the sea and estuary should pay for the protection of the upper river, because they benefit the most by it. If the Open Season had been a month shorter than to the 1st November they would have three times the quantity of fish. He knows the river to Enniscorthy, and hundreds and thousands of Salmon go up as far as the bridge, one tide, and return again with the other, without ever being caught. The fishery of the Slaney, if fished according to his method, properly protected, and not fished after the 1st October, would be made worth £7,000 a year. If the entire river from the sea to the source were his he would allow it to be fished to the 1st October. The fish are in a spawning state in the middle of September in the upper part of the river, and the moment a Salmon enters the fresh water it begins to decline; yet, notwithstanding that, he would fish on to the 1st October, because the great bulk of the fish are down in the tideway, and are in good condition there up to that time. Fethard is a very good fishing place; he fished there only one year, and caught 800 Salmon and Salmon Peal in that time. The size of the mesh in the bag net is quite too large; they lose a great deal of the Peal, and catch no Trout whatever. The Fethard fish are among the best he has seen in any part of the country. He has been at Kinsale, and considers it a very good place for the bag net. Is acquainted with Grenore Point, and round to Rosslare; but there is not much Salmon caught there: all these places, however, should be proved. Is of opinion that the Bannow river attracts the fish towards Fethard. He paid £5 a year for the privilege of putting up his bag net off the Slaney. It is but right to pay a small rent for putting up such an implement: he would be quite willing to do so; and he considers that one-eighth of the gross take would be a reasonable payment to the proprietor of the land, the fisherman paying all expenses and running all risks. He was the first man that brought a bag net into Ireland; he came with a large capital into the country, and he is now actually brought to poverty, by the malicious injuries that have been done to him. He lost £2,000 in one year, and his family and himself are now almost begging.
Best month.	
Suitable season.	
Protection.	
Value of fishery.	
Mesh.	
Rent.	
Market.	<i>Mr. John Walsh</i> , sworn.—Lives at Wexford. Is a general merchant and coach proprietor. Has been upwards of thirty years in the fish trade, but purchases none except the Slaney fish. Does not export any, but sends all off to Dublin immediately by coach. There is no ice house in the town. The coach takes the greatest quantity he can get; but there were a few instances in the year 1842 when it could not carry all the fish he purchased. There are other purchasers in Wexford; he does not buy the one-fourth of the fish which comes into the market. The fisheries are rather improving; but this does not apply to last year; 1842 was the best in his recollection. He begins to get fish in May and June; does not get any quantity to signify before then. He used to purchase every month in the year before the late Act, and got odd good fish at all times. There are very few taken in February; and out of ten there would not be more than one or two good; all the rest would be spent fish. He gets the greatest quantity from Carrick Bridge, and above it. Most of the fish is sent from Enniscorthy, and thereabouts. There was not a greater quantity of Salmon to be had when he commenced purchasing than there is now. July and August are the best months. At the latter end of September the fish begin to decline; there is then a mixture of good and bad, in the proportion of one sandy coloured one to ten good fish. In fact, there are very few advanced in pregnancy in September. Peal first come into the Wexford market in May and June. He did not pay £100 for fish this year; but, in 1842, bought upwards of £400 worth of Salmon, and there must have been more than £4,000 worth taken in the Slaney; but there was in that year fully double any ordinary take. There are two buyers at Enniscorthy, and two between Wexford and Edermine. The take of this year was not the one-fourth of that in 1842, and the latter year was better than 1843 by £1,000 worth. £1,500 might be the average annual value of the fisheries there. There have not been any prosecutions for selling fish at prohibited times. He never saw Eel Fry sold in Wexford; but does not think there is any restriction to the take or sale of Oysters at any season. He has seen them exposed for sale in the Close Time, but they are not eaten by the people of Wexford. There are very good Oyster beds in this locality, and several persons follow the Oyster trade. Is of opinion that if the fishermen had better means of fishing, and that their
Improvement in the fisheries.	
Best months.	
Purchases.	
Oysters.	

necessities did not drive them to fish out of season, the fisheries would be greatly improved. Did not hear that the police were empowered to enforce the observance of the late Act, and that one of their duties was to seize all fish exposed for sale in the Close Time, and all spents and Fry at any time of the year. There is not good demand in Dublin for Peal in the months of June and July. The fish is three times the price in March that it is in August. He has seen fish sold in Dublin, in February and March, for 2s. 6d. per pound, while the price of the August fish varies from 4d. to 6d.; and it is sometimes down so low as 3½d. at the latter end of that month, and in September. Taking into consideration all the parts of the river, the public benefit, and the means of obtaining the greatest quantity of good fish, he is of opinion that the Open Season should be from April or May to the latter end of September or the 1st October. He gets very little Spring fish in February. The following return is correct:—

APPENDIX, No. II.

The Slaney.

Prices.

Suitable season.

NUMBER AND WEIGHT of SALMON bought in Wexford by Mr. JOHN WALSH during the last three years.

		Salmon.				lbs.
1842,	.	.	3,321	.	.	27,655
1843,	.	.	1,936	.	.	15,396
1844,	.	.	1,198	.	.	10,775

Philip Murphy, sworn.—Is a fisherman and a farmer, and resides at Park, two miles from Enniscorthy. Fishes with a draught net and cot; there are no snap nets on the Slaney. There were some up Salmon weirs on it, but they are now broken down. There was a weir on the river Urn some years ago. There are a good many nets between Wexford and Enniscorthy, but there is no rent paid for the privilege of hauling them; it is all a free fishery. Has part share in a boat and net, and two others are joined with him. Fifteen or sixteen years ago, his part of the produce used to come to £15 or £20, but last year he only received £6 for his share. No Close Time was really observed up to last year; odd people used to fish all the year round; all could not, in consequence of the floods. They generally ceased fishing on the 1st November; all fished up to that time this year. In the part he fishes, they do not commence till April or May. Slats are caught in March; if not taken on their passage down, they will return good season Salmon after a short time. They do not mind the Eels at all there; but if they went out to fish early, they would catch some Eel Fry in the bag of their nets. The great destruction to the Salmon is at the mills. The Salmon Fry are not taken in large quantities where he fishes; only an odd one occasionally. They are destroyed in great numbers at the mills, for they collect together in the ponds, from which they are taken up in nets. He has known the pigs to be fed with Salmon Fry at Clehanna mills. He saw a number of Slats killed in the mill pond about twenty years ago. Has seen fish on the spawning beds, and the yellow Trout picking up the little pea as it fell, and devouring the small Fry. There has not been, of late years, many fish killed with spears on the spawning beds. He himself killed Salmon on the beds with a spear; some were before, and some after spawning. They are bad for eating once they spawn. He never saw white Trout on the Salmon scours; they go higher up than the Salmon to spawn. The first time he has seen Salmon spawn in the little tributary that feeds the Slaney, was in November; and on one occasion, he saw the fish on the spawning beds so late as April. Between Christmas and March is the heaviest time for spawning. He never heard of any one being prosecuted for offences against the fishery laws. Was a water-bailiff, but never found any one breaking the law. He thinks it is a very good plan to employ the police in protecting the fisheries, but he is not disposed to go out with them to assist them; he will leave the thing to themselves, for perhaps they would say he was going to take the fish himself.

Produce.

Time of fishing.

Destruction.

Spawning.

Joseph Carley, sworn.—Is a fisherman and a farmer, and lives at Greenmount, about a mile from the Deep Bridge. Fishes with a seine net; it is sixty fathoms long, and about twelve feet deep; it would not go near stretching across the entire river, for the channel is about ninety fathoms in width. Fishes at ebb tide and low water. It would greatly injure the fishing of his net if its size were diminished. He hauls on chance, and never waits until he sees the fish approach. The mesh of his net is about two and a half inches from knot to knot; but generally speaking, the nets in the river are not according to the Act of Parliament; if they were, there would be very few fish caught, and a new net would be required every three weeks. His nets are tarred. His cot is twenty feet long, and it is worked by himself and his sons. No disputes take place among the men about fishing; they go by one certain rule, and that is, "first come, first haul." The fishing does not commence till June, but some fished all the year round, whenever the weather would permit them. The general practice was, to fish up to the 1st November until this year; August and September were the best months. If they were to follow the Act of Parliament they could not live. There is an abundance of Slats and Fry in the river, in April. Some spents are caught, but only a very odd Fry, when the nets get thick with mud. The best season they have had these ten years was 1842. He sells his fish, but has kept no account of the produce. Catches Mullet, and other fish, but would give up fishing altogether if obliged to have a larger mesh. People keep their nets out on the banks of the river in Close Time. Is not aware that the police can seize them in consequence. Has been forty-five years on the river, and for these ten years does not know of any one having been prosecuted for a fishery offence. There was always a law stopping them on the 10th

Seines.

Mesh.

Time of fishing.

Best months.

Mesh.

APPENDIX, No. II.

The Slaney.

Herrings.

Mesh.

November, but some very poor people used to make a snatch after that. The weekly Close Time has been only partially observed. He concurs with the evidence of the last witness, as to the breeding of fish, and the destruction of the Fry caused by the mills. Has caught Herrings in his seine; they catch them in February, when it is dry, and take from 200 to 300 in a haul. Hauled for Herrings up as far as Deep Bridge. *Is of opinion that the red Salmon remain always red.* The small fish which he calls a Gravelling, will never come to be a Salmon. One and a half inch mesh would be the best for catching Salmon and Trout. A larger size makes it not worth while fishing, for the net should always be new to catch Salmon. Their part of the river is so muddy that the nets are very soon rotted. There are between seventy and a hundred seines between Wexford and Enniscorthy. Above the island of Markman and in the tidal part of the river, it is the practice to stretch nets across the whole river, and keep them tied from bank to bank. If stopped too early, and fishing go on in the month of February, they will be ruined.

SUBSTANCE of a LETTER from JAMES HECTOR to the COMMISSIONERS, dated
14th December, 1844.

Substance of a
Letter from James
Hector to the Com-
missioners of Fishe-
ries.

James Hector, in a letter to the Commissioners, dated 14th December, 1844, states that he caught at Rosslare Strand last year 230 Salmon and Grilse weighing 2,068 pounds; that his net was destroyed at the very time he had had a run of good weather, and before he had another net ready for fishing the season was near closing, and he thereby sustained a very great loss; that if he had been allowed to fish up to the 1st October, he would have caught as much Salmon between the 20th August and that time as in the entire season before. He is of opinion that if the Slaney were fished up to the 1st October, "*but not a day beyond that,*" it would be one of the best rivers in Ireland. He states that they are fishing in some parts at the time at which he writes; that unwholesome Salmon were exposed for sale, and that nets of an illegal mesh were used. He also states that the bag-net is a superior mode of fishing, and gives a free passage to all kinds of small fish; but that Seines injure the spawn in consequence of their being hauled along the bottom of the river. He then complains of the great losses he has sustained in this country by the malicious destruction of his nets; and suggests that a number of gentlemen should form a company and purchase bag-nets, which he would undertake to manage with profit to the proprietors.

EVIDENCE taken before BROOK T. OTTLEY, WM. T. MULVANY, and J. REDMOND BARRY,
Esqrs., at the CUSTOM HOUSE, DUBLIN, TUESDAY, DECEMBER 10, 1844.

SUBJECT OF INQUIRY.—THE LIFFEY, AND ALL ITS TRIBUTARIES, AND THE ADJACENT
COAST.

THE LIFFEY.

The Liffey.

Spawning.

Migration.

Obstructions.

Gravelling.

Thomas Brown, produced by Mr. Worthington, lessee of the Liffey fishery, sworn.—Has been a sportsman and fisherman for thirty-two years, and lives at Kilcullen. Has fished constantly from Ballymore Eustace to Newbridge, and into Dublin. Is acquainted with nearly the entire river, and has been employed by Mr. Worthington as water-bailiff about four years. There has been no Salmon fishery at Kilcullen at any time. The Salmon go up there about the second week in October, and not before; they are pretty fairly protected. Some are making their beds about the last week in October. Knows the River Liffey, up to Poolaphuca. The fish do not go within a mile of Poolaphuca; the Golden Water, near Ballymore, stops their progress. They come down as far as Clane and Caragh Bridge. The fish spawn earlier in the higher parts, and while they are strong they endeavour to reach these parts. The great bulk of the fish spawn in November and December, and the spawning is all over after Christmas. He saw some small fish spawn in January. The fish spawn sooner in a dry than in a wet winter. *Is of opinion that the fish which spawn in January are those that have remained in the river for some time.* White Trout do not spawn there, but the brown Trout spawn in the same place with the Salmon. The spents come down according as they recover, and there is scarcely one of them to be seen after Christmas. Fry first appear about about 1st April; they may take a fly the last week in March, and they are all gone down in May; if a fresh comes, they all go down the first week in May. There are six weirs between Ballymore and Caragh Bridge, over two of which the fish cannot go, except in floods; and unless the Fry get out at the wheel of these two, they cannot pass out at all. Does not know how many weirs there are below that. There are two small rivers between Ballymore and Caragh Bridge, up which Trout go, but the water is too light to admit much Salmon. He saw Salmon spawn in those tributaries last Sunday, and they can be seen very plainly when the water is low. He sees no spent fish at Caragh Bridge after Christmas week. The breeding fish are not killed up there, nor did he ever see a spent fish killed in the Liffey, or the tributaries, with lights. There are only two water-bailiffs on about fourteen miles of that part of the river; but a good deal of the gentry warn the people against destroying the breeding or spent fish. In the year 1843 there was a great deal more fish up the river than in 1844; there were very few up in 1844, and he thinks this arose from the alterations which are being made in the river. No Peal go up in June; he thinks they are too weak to get over the Salmon Leap. There is no Gravelling in the river above Poolaphuca; they cannot go beyond the Golden Water. He never caught nor observed Gravelling when changing its coat: but there is a

great difference between Gravelling and Fry. The Gravelling he catches are of different sizes; they are large in July and August, but very small in March. The great bulk of the Salmon were found spawning in November, last year; and he observed them more attentively than in any former years. He saw some Salmon spawn the day before yesterday.

Patrick McEvitt, sworn.—Is a fisherman, and fishes generally for Salmon in all parts of the Liffey, and in the Bay. Fishes with seines in the Liffey, between the mouth of the river and Island Bridge. Is acquainted with the river above Island Bridge, as far as Lucan. He saw fish spawn at Lucan, and between Chapelizod and the Strawberry beds. They generally spawn in November, but the time depends upon the state of the water and the weirs. If there be floods the spawning takes place earlier; but if the weather be dry, their upward progress depends upon the weirs being opened or kept shut. The weirs are kept most irregularly at present. He has seen the spawn taken out of the beds, having been destroyed by gas. The earliest time he saw the fish begin to spawn was about the middle of November; the greatest number spawn in the latter end of that month; and the latest time he saw them on the beds was about the middle of December. Never saw the pits made in January or February. There are small rivers between Lucan and Island Bridge, but he never saw fish going up them. Numbers of spawning fish have been gaffed on the beds; but he never knew lights to be used for the purpose of destroying the fish. The spents are going down as late as March. Saw great numbers of them dead at the mill in February and March, and others weak from exhaustion in those months. He knew the man who had the fishery at Island Bridge to kill numbers of spents, and sell them to Mr. Green, the fishmonger. He has taken spents in his seine; when taken along with good fish, the bulk may be let to escape, but some must necessarily be killed. Saw the spents go down in January, and the great bulk in the latter end of February and March; and he saw numbers of them lying dead at the tail of Mr. Crosthwaite's factory. Often got six in that state between his breakfast and dinner. He often saw Fry killed at the wheel, as if they had been chopped by it. Saw some hundreds of Fry in the tideway, near the latter part of May, and saw them also in June. They used to be kept above Island Bridge weir formerly, till a late period of the season. There are five weirs on the Liffey, up to Lucan, and the fish cannot pass over them in a moderate flood, nor can they get over Island Bridge weir unless the gates are open. The fish endeavour to go over Chapelizod weir at the V. There are some artificial obstructions on some of those weirs. Railings are sometimes placed in such a way as to stop the fish when the weirs are opened; one person has been prosecuted for such a practice as this. The only mode of fishing pursued above Island Bridge is angling, and this has not been allowed to be carried on without obstruction. Owners of land along the river have, in some instances been prosecuted for rod fishing. He knew an instance of a person been fined for taking Salmon with a rod, although he owned the ground opposite which the fish was killed. Fish are destroyed at Lucan weir in the Close and Open Season; indeed it should be a very strong fish that could pass that weir, even in a flood; it is the worst obstruction on the river. Some anglers are also in the habit of killing the fish with gaffs. The weekly Close Time is not observed at the mills. The Island Bridge and the other mills work on Sundays, and do not give the free passage of twenty-four hours, which the law requires. When this takes place in the latter part of the season, the fish come up so far, and finding no passage, they are forced to eject their spawn, when they taste the fresh water, sooner, and lower down than they ought. He fished at Poolbeg last summer with a seine, which was at first about 150 yards in length, but he has since made it 230 yards. It would stretch across the channel at low water, and its efficiency would be affected if shortened; if it were restricted, say to half the breadth of the channel, the seine fishery would be very much injured. He has a partner in his boat, and fishes in fourteen or fifteen feet depth of water. There was good fishing in the tideway last year; he was late in going out and did not begin till the latter part of May; he fished from that till within a week of the Close Season, and during that time caught about 250 fish. He never saw a net take a fish under five pounds last season. The fish of five pounds are Salmon, not Peal, for the Liffey Peal are only from three to four pounds weight. The smallest fish he took was five, and the largest fourteen pounds weight. There is a great run of fish of from nine to ten pounds weight. Generally sold his fish in Dublin. Gets 1s. and 1s. 4d. a pound in May, and 5d. at the latter part of August. He had a pretty fair profit on his fishing. There were eight seines at work at the same time, between the Light-House and Ringsend, and they were all fished under the common law right of the crown, with the exception of one, belonging to a person named Kimberly, who paid rent. The persons owning these nets were Cullen, Day, Kyan, Kimberly, Mr. Worthington, himself, and some persons from Clontarf, whose names he did not know. No disputes take place between them. He fishes at low water, and an hour or so on flood; they generally take one shot on the ebb; two or three shots are the most he took in one tide. His net was worked by six men; he used it all last year and will this year also. Puts catechu instead of tar or bark on his net; this substance costs 3s. 6d. a stone, and a stone is sufficient for the entire net. Has seen catechu put upon bag, and other nets also; it does not wash off; completely coats the twine, and is better than the other substances generally used. There are white Trout where he fishes, but he does not catch any in consequence of the largeness of the mesh. A four inch mesh—that is, eight all round—would be the best for all. Such a mesh would not kill Salmon of three and a half pounds. A seven pound Salmon would go through the present mesh. Last year a nine pound Salmon meshed in his net, and caught by the gills; and were it not

APPENDIX, No. II.

The Liffey.

Spawning.

Spawning.

Injuries.

Destruction.

Obstacles.

Angling.

Observance of
Close Time.

Seines.

Produce.

Prices.

Seines.

Mode of fishing.

Mesh.

APPENDIX, No. II.

The Liffey.

for the weeds, they would not catch half the Salmon that they do. Fished for many years between Barrack-street bridge and Chapelized, with hoop nets, but never caught a Salmon in one of them, but by mere chance. The hoop nets are used for taking Eels and Flounders, and are fished out of the sterns of boats.

Cross-examined by Mr. Worthington.—Said a party was prosecuted for angling on his own ground; Garnett was the man who was prosecuted, and Harris, a man of Mr. Worthington's, prosecuted him. Garnett owns land at the east side of the weir. Witness will not swear he was prosecuted for angling, and not for gaffing at Lucan weir. Saw Mr. Worthington's man take rods from anglers along the river. Thinks that Garnett was prosecuted not for gaffing but for using the gaff after he had taken the fish with the rod. Fished for the Commander of the Forces Sir Hussey Vivian, and Mr. Whitley. After the 20th August, in the annual Close Time, saw the mill gates at Island Bridge shut, and the mill at work on Sunday mornings. One morning it was after half past seven o'clock; and on the next Sunday it was about the same hour. The weather was then dry, and there was no water going over the weir; and when he summoned Mr. Manders for these breaches of the law Mr. Worthington employed counsel against him, and he was defeated because he had no legal assistance.

Close Time.

Destruction by
poisonous matter.

To Mr. Mulvany.—Has seen the fish destroyed by poisonous matter from Jones' chemical works in Cook's-lane, off Watling-street. Has seen the fish at the place where this matter flows into the river actually go mad, and jump out upon the banks. It is only within these two years they began to make this stuff there; it comes out through a mill-race and runs along the bank of the river. Mr. Crosthwaite has gas works; and when he was prevented, some years ago, from letting the gas tar into the river, he dug a pool on his premises for its reception, but the stuff oozes through it and gets into the water. He saw the spawn there taken up parboiled and blobs of gas tar about them. There are gas works also at Lucan which are very injurious to the fishery. The hoop nets he spoke of before were used for catching Flounders and Eel, and that was the only use he ever saw them put to. He often caught an odd Trout in them; and the smallest mesh he ever had in them was half an inch. Their largest mesh was four and a half inches; he never used them except in the tideway. Saw Salmon in the market during the Close Season last year, but not this year. Saw the discoloured spawning fish, and the spawn running out of them, in the Dublin market about three years ago; the greater part of these had come from the Slaney. He has seen Spents also in the market; and he himself used to catch them for Mr. Whitley, who had a contract for them with Mr. Greene. It is his opinion that there could not be a more beneficial Close Season than that at present fixed; and in giving this opinion he takes into consideration the coast, the estuary, and the upper river. In the latter part of August and September great numbers of the fish caught are in pea; there are not five caught in the first part of the season, for the 100 in the latter, which are unfit for capture. As far as the fish are concerned, the 1st August would be the best time to stop; but taking the fishermen into consideration, it might be well to fish to the 20th. The fish deteriorate from the 1st August out; they then lose their colour, and decline away. He saw hundreds of fish brought into the market in August, which were not fit to be killed. After the 1st August not one out of twenty that are taken is fit to be killed; and he would, therefore, close the river then, both above and below: at all events he would not extend the season.

Gas works.

Sale of unhealthy
fish.

Suitable season.

Leixlip falls.

The Rye.

Spawning.

Spents.

Best fishing time.

Suitable season.

Anthony Bacon, sworn.—Is an angler, lives at Leixlip, and is acquainted with the fisheries of the Liffey. The Salmon cannot get over the falls at Leixlip, except in floods, and then only when they are in good strong condition. In consequence of the obstructions on the river below the Salmon do not get up there till the latter end of August; and they are then so weak from having been detained in the fresh water, that they cannot pass the fall. He has frequently seen the dark-coloured fish make the attempt and fail; but the fresh run fish from the sea were able to get over it. The Rye is a spawning river; and the fish spawn there about the latter end of November. He never caught an unspawned fish in January, and hence concludes the spawning time to be in November and December, but he never had any opportunity of observing the fish making the beds in the Rye or Liffey. Saw spents in the river in June, and the reason of that was, that they did not spawn soon; he did not see the spents go to the sea sooner than January. If the fish could get up below at Lucan and Island Bridge, there would be an abundance of Salmon all through the river. When the weir was broken at Island Bridge he caught seven Salmon in one morning with his rod; but there are no passes over the weirs, and the fish cannot ascend them except in floods. He has not observed an increase of the fish in the upper parts, and he knows the river well as far as Leixlip. He does not concur with the last witness as to the Close Season; July and August is the best fishing time; and some fish which come up late, are good in October. The pea in September is larger than in August; some fish are silvery and some red at that time. If the impediments were removed there would be good fishing in March in the higher parts. He would extend the season to the 1st October *for anglers only*, for they kill only a few; and this would give them greater interest in protecting the river. In fact he himself did not kill a Salmon these four years. No net ought to be allowed to fish after the 1st or 12th August. There is no Protective Association above; nor is there any assistance towards protection received from the people in the lower parts.

Mr. John Gass, sworn.—Is a fish factor; purchases Salmon and all sorts of fish, and has been selling on commission these twenty-seven years. Has sold the fish of almost every river in Ireland—from Cork, Galway, Sligo, and Limerick. The fish comes to him by the mail-coach, but he got some few Salmon in ice from Sligo last year. He used to get the

Coleraine fish in ice, but he does not sell that fish now. The fish coming in ice is better than what comes by coach; it will keep longer; but he has never known any of it to be curdy. He has been selling the Liffey fish these twenty years, both what was taken at Island Bridge, and what was caught in the sea. Got some of the best fish in the whole season at Christmas and in January. They were Spring fish; and Spring fish are, in his opinion, the fish that have spawned early the year before. The Liffey Salmon are largest in January; they get Spring fish in the Sligo river in January also; and they are then in the best condition. The quantity taken depends on the weather. He sells all his fish in the Dublin market, and by wholesale. The prices he gets are, in January, 2s. to 2s. 6d.; February about the same; March, 1s. to 2s. 6d.; April, 1s. to 2s.; May, 1s. to 2s. 6d., and 2s. an odd time—there is a scarcity of large Salmon in that month; June, 6d. to 9d.—the Salmon more plenty then, and the Peal come in; September, (but not this year,) 4d. to 6d.; July and August about the same as June. The Liffey Salmon are very full of pea in September; but judges say that Salmon in pea eat as well as when the pea is not grown, provided it be not too large. He has sold fish in October for 4d. to 6d., and as low as 3d. when not in very good order. In August the Liffey fish are getting out of season very much. This is the case with all early fisheries; but in some places—as Waterford—they are good in September. The Slaney fish are good in October, but some are getting out of order then. There has been a great increase in the produce of the Liffey these last two years. There has been more fishing in the bay and harbour during that time; and taking the river, the bay, and the estuary, the gross quantity caught in 1843 and 1844 was greater than in former years. He used to sell all fish, good and bad, but did not get spent Salmon in January from the Liffey. There was a great deal more fish got in August than in January; but the taking off of January is a great loss to the early fishery, because the price is so much greater in that month. Witness thinks there should be a different season for different rivers; but if uniform, the fishing time should be from the 1st January to 12th August. The earlier the fishery can be made the better.

Prices.

Increase.

Season.

Patrick Dempsey, sworn.—Is a fisherman and in care of a farm at Leixlip. Frequently saw fish on the spawning grounds; they begin to spawn at the latter end of November, and continue in December and January: he saw fish killed at the latter end of January with spawn in them. The fish spawn later in the Rye than in the Liffey; and if a free pass were made at Leixlip they would seldom go up that river. The best spawning ground is from Leixlip to the bridge of Lucan, and there is one pool above the Leap which is, perhaps, the best in the whole Liffey. He saw spawning in January, not in the Liffey but in the Rye, and not in any numbers. The spawning begins rapidly about the middle of November, and continues through December. The spents are killed at the mill-wheels in January and February. The great bulk go down in January. The Fry have no passage down except in floods; they cannot otherwise get over the obstacles; and this is a great injury to the fishery. If the Salmon were let up early they would be able to take the Leap with ease; they were very late up this year because the season was dry. He thinks it would improve the fishery if a passage were made at the falls for the weak fish. The Lucan weir is more destructive to the fish than all the others put together. He himself saw 400 fish there, and not one of them could get over it. Taking the upper and lower parts, and on the supposition that passes were made at the weirs, the best season would be from the 12th February to 20th August, as the law stands at present. An abundance of fish would go up after the 20th to stock the river. Does not know of any fish being destroyed except by Otters. Thinks that if the millers were properly managed they could do a great deal to preserve the fish. If, for instance, when floods occur, and the Fry are congregated, they would open the gates for one hour, all would go down. He has known the servants of millers to encourage the destruction of Fry; and he has also known the mill wheels to be staked. The millers did more this year than formerly in allowing the fish to pass.

Spawning.

Migration.

Destruction.

Season.

Mr. MULVANY stated that the Commissioners had received from Mr. Worthington a very interesting document, setting forth his views and the result of his experience on the subject of the Close Season. He now begged to ask that gentleman if he were prepared to hand in this paper as part of his evidence.

Mr. Worthington, having been sworn, replied in the affirmative. That paper was written by him; the facts contained in it are true, and the opinions set forward are, in his judgment, correct. The following document was then entered as part of his evidence.

As the question what would be the proper Close Season for Salmon is now undergoing investigation, and as this subject as well as that of agricultural improvements occupies, and so deservedly, much public attention, both tending as they do to increase the amount of food, I have no objection to submit my views and the result of my experience, as opinions the most discordant have been promulgated upon the subject in the south of Ireland during the present investigation—some proposing that the fishing in the Open Season should commence the 1st November, while others propose that it should not commence until the 1st March. In submitting my views, I think it proper to state that I have given the matter long and mature consideration, and bring to the examination of it the experience of at least twenty years. The difficulties that surround the question are great, as the Commissioners have no doubt already experienced, the object being, if possible, to fix one general Close Time for all rivers in Ireland; and further, which involves a still greater difficulty, to fix a Close Time that will suit the various fisheries, whether those fisheries be situated in the sea or tideway, or in the upper and remote parts of rivers. This subject opens up a very extensive field of inquiry, and affects property throughout the kingdom to a very serious amount; but I shall endeavour to limit my observations to as small a space as possible. With respect to the first questions, namely, to fix such a Close Time as will suit all the rivers of Ireland, the difficulty consists in the fact well ascertained, that Salmon frequent some rivers at a much earlier period than they frequent others; the Salmon called "the New-run" or

APPENDIX, No. II.

The Liffey.

Winter Salmon," or, as it is called in some districts, "the Spring fish," is not to be found at all in many of our rivers. I may instance the Erne, at Ballyshannon, one of the most productive fisheries in Ireland; and which pays or paid a rent of £1,600 per annum to the proprietor; while in the Bundrowse river, which empties itself into the same bay, the "Spring fish" is abundantly found. It is unnecessary to enlarge upon this subject, as the fact that such a fish frequents at an early period some rivers, and not others, is admitted; it has indeed been satisfactorily proved, during the pending inquiry, that this fish, in prime season, commences running up the Caragh river, in Kerry, so early as October and November; but it is found in tolerable abundance in various rivers in Ireland during the months of November, December, and January. Now, it is precisely during this period, namely, in November and December, that the spawners in all rivers are depositing the ova; it may, indeed, be confidently stated that the bulk of the spawning in all rivers is completed during these months. A few fish may spawn later, but late spawning, in my opinion, does little good. It may also be asserted, without fear of confutation, that the "New-run or Winter Salmon" is a distinct fish from the spawner; it is the spawner of another season; but it will be sufficient for the present purpose to state that this fish at the spawning season, namely, in November and December, is at the most remote possible stage from the state of spawning—the pea of a twenty pound Winter Salmon not being larger than that of a herring. The second question, namely, to fix a Close Time that will suit the various fisheries of Ireland, whether those fisheries be situated in the sea or tideway, or in the upper parts of rivers, involves the same difficulty. The period at which Salmon frequent different fisheries depends entirely upon their local situation. The Spring or Winter Salmon will not enter rivers at all while snow-water is descending, and as most of our rivers have their sources in mountainous districts, snow-water more or less prevails during the Winter and Spring; it may therefore be alleged, subject to very little exception, that the Spring or Winter Salmon is only to be caught in the sea and tideway. No doubt a few of them in favourable seasons may run up rivers, but the instinct of the Spring or Winter Salmon is to remain in the sea or tideway until snow-water from the mountains has disappeared, which seldom happens before March or April. This is the reason that those who have interests in the upper parts of rivers advocate a late commencement of the fishing season, and, as a necessary consequence, a late termination. The difficulty, therefore, in my opinion, is to be met by fixing the Close Season to end, and the Fishing Season to commence, at the earliest possible period consistent with the due protection of the spawners, which are then at the head of the river; and I conceive that the 10th or 15th of January will fully attain that end. The bulk of the spawning in all rivers is over at Christmas, and the kelts or spent fish are then on their return to the sea; but having spawned, the loss of a few of them is a less evil than prohibiting the fishing for Spring or Winter Salmon beyond the 15th January, as those splendid fish, which are all of a large size, and are worth from two to three shillings per pound in any market in the United Kingdom, (the best proof of their perfection,) will inevitably be lost for the purposes of man, as while wandering round our shores and estuaries, as it is their instinct to do, at that season, they become the prey of Seals and Porpoises, which destroy them in vast numbers. No doubt can exist that the public interest requires that the restriction upon catching these fish in the sea and tideway should be of as small duration as possible. To fish for them in the sea, even in December, could do no injury, as the spawners have all gone up, and the spent fish have not yet come down. Having canvassed the question when the Close Season should end, I am happy to say that less difficulty, though not less controversy, exists as to when the Close Season should begin. No person at all conversant with the subject can have the slightest doubt that the prosperity of our Salmon fisheries altogether depends upon having the Close Season to commence early, and to continue for a sufficient length of time. The present Act empowers the Commissioners to alter the Close Time, but provides that it shall not comprise less than 124 days in each year. I would most strongly observe that this is the minimum fixed by the legislature, but I submit that the Close Season should consist of at least five full months; and I would urgently impress upon those interested in fisheries, that seven months' fishing is a very ample season—nay, that five or six months' good fishing would be better than twelve months' bad. The old Irish Act, 8th Geo. I., c. 7, fixed the 1st of August as the commencement of the Close Season, and the present Act fixes the 20th of August. I would certainly prefer the former (although public meetings have been held proposing the 1st of October!); indeed I conceive that to stop all fishing on the 1st of August would be the measure above all others that would ensure the prosperity of the Irish fisheries. But here again the upper proprietors in various rivers offer their opposition, and wish to continue fishing until the 1st of October; but our laws should be made to be subservient to the laws of Nature; and if Nature gives Salmon the instinct not to visit the upper parts of rivers until the spawning season approaches, it is unreasonable in the owners of estates in the upper parts of rivers to seek to kill them at that period. Those who advocate thus continuing the Open Season to a late period of the year, forget that in removing the prohibition from themselves they must also remove it from the lessees and those interested in the sea and tidal fisheries. If the upper proprietor is to be at liberty to fish in August and September, the bag and stake net in the sea, and the draught net in the tideway, must have equal privilege; and the result will be, that all should fish until the migration upwards of spawning fish had ceased, and then the protection for the breeding fish would commence where there were no breeding fish to protect. This was precisely the evil of the old system: the Close Time never commenced until we could catch no more Salmon, or until, in fact, there were no more Salmon to be caught; and then (in an Irish way) we all agreed to let the Salmon up to spawn. Is it patriotic, or rather is it not selfish, to urge the destruction of the Salmon at or very near to the spawning season, because the Salmon will not visit, until a late period, those who propose this late season? It may be observed, that I lay little stress upon the weekly Close Time, under the new Act, as a provision for stocking the rivers, although for other purposes it is a very useful enactment; it is assumed, and, indeed, is conceded, by those conversant with the matter, that anglers, Otters, and poachers may get the whole of them, during their long sojourn in the river; but even if a few of them should escape, they would answer little purpose as spawners; the useful spawning fish are, emphatically, the August fish, which run up in full vigour from the sea, having the pea matured, and then advance, at leisure, upon the spawning beds, with the floods of October and November; these are the fish, beyond all controversy, that breed, and replenish our rivers, producing a strong brood, unlike that of the exhausted fish that reach the spawning beds, at a late period, and under unfavourable circumstances. I feel so strongly the importance, the extreme importance of stopping all Salmon fishing at an early period—say 1st or 10th of August—that I am tempted to mention a circumstance personal to myself, which I think fully demonstrates the importance of fixing an early commencement of the Close Season. Having, with little effect,

tried various methods to improve this fishery (which formerly was of considerable value), I adopted a proceeding which, as I shall be examined on oath, during the pending inquiry, I shall now detail as minutely as I shall, if necessary, depose to on my examination. In July, 1839, I directed my men to "open the weir," as it is technically called, which I was not bound to do until the 1st of October, under the 32nd Geo. III., c. 40. Very reluctantly my orders were obeyed by my men, and on the midsummer flood, which occurred on the 19th July, 1839, the gates on the weir were opened; by this operation, on speculation I sacrificed £50 or £60, which, as Salmon are then sold at a low rate, represented a very large number of Salmon; I looked for a great increase of Fry and of Salmon Peal on the following year, not being then aware of the recent discovery in Scotland made by Mr. Shaw, relative to the slow growth and long duration in the river of the Salmon Fry. Mr. Shaw's discovery did not become generally known until published in *Blackwood* in April, 1841; however, having let up the fish, I looked for produce (according to the old opinion) in 1840, but was disappointed: 1840 was a very bad year, so was 1841; but in June, 1842, I was greeted with a run of Salmon Peal, unlike anything I had ever before seen. The new Act had not then passed, and the small-mesh net was in use, consequently these Salmon, which averaged about five pounds each, were all destroyed; in number, with me, they exceeded four-fold that of any other year; and taking into account the sea-fishing at Poolbeg, which is carried on by a great number of persons, the increase was, to the best of my belief, ten-fold upon any previous year for the last twenty years, as various adverse parties can testify as well as myself; but the number was not by any means, in my judgment, so remarkable as the extraordinary difference in the size and quality of the fish. These Peal were all what Salmon-fishers call "well fed" fish, which term has a particular signification well known to sportsmen and Salmon-fishers; suffice it to say, they were in appearance, colour, and size as unlike the Peal of former years as can well be conceived. This I account for by the parent fish (those of 1839) having reached the spawning beds in good time and in full vigour; and I conceive that the complaint made in all the rivers of Ireland, that the fish have degenerated in size and quality, is solely attributable to late fishing. The August fish are all killed, and in September and October good spawners become scarce, and they reach the spawning beds, which are at the upper parts of rivers (many obstacles intervening) in a jaded and weakly state, and too late for early spawning. From this experiment, broadly defined as it is, I am entitled to say that the fisheries of Ireland will rapidly increase in value, and the fish in size and quality, if Salmon fishing be stopped upon the 1st of August or thereabouts. The Close Season should then consist of five full months; and I should say (if a general Close Time, the same for all rivers and all localities be decided upon by the Commissioners) that a Close Season, commencing 10th or 12th August, and ending the 10th or 12th January, would best amalgamate conflicting interests, would best suit various localities, and, above all, would best tend to the improvement of the fisheries, and to the public advantage.

The examination of *Robert Worthington, Esq.*, was then proceeded with.—Witness suggests that the Salmon fishing should stop on the 1st August; and he is of opinion that such a course would benefit the fisheries most materially. He made the experiment of opening the weir and letting up the fish in July 1839; and the result was, that in 1842 there was a greater run of Peal than he ever saw before. The number was greater; and the difference in appearance so remarkable, that they might almost be considered a different species. They were fine well-fed fish; and he attributes this improvement to the number of fish which were allowed to pass up in 1839. The fishery was surrendered to him, in 1825, by Mr. Green, who held it at a rent of £200 per annum; and it was given up by this gentleman in consequence of its becoming so bad. He is of opinion that Mr. Green used to lose £100 a year by the fishery; and he is convinced that it became thus bad in consequence of the practice of fishing up to the 1st October, in accordance with the previous law. The run of fish in May, June, and July is great; but there is a total failure in the latter end of July if there be floods in that month. When he first commenced fishing, finding a run of fish in June and July, he thought he would get as much in August; but the floods came, and there was no fish to be had. Those who fished below in the bay and tideway experienced the same thing. The August Salmon are very large fish, and are going up to spawn. The Liffey had been very productive, and he considered its decline was produced by fishing in August. The time the Liffey was so productive, was about thirty or forty years ago. Under the conviction that the decline of the fishery arose from the late fishing, he tried the experiment mentioned in the paper already produced by him. He expected the increased run in 1840, and was disappointed; but in 1842 there came an astonishing run of Peal, in the finest condition. Spring fish are, in his opinion, the fish that went up the year before but one: thus—the fish which go up in 1840, return in January 1841; no more is seen of them that Summer; they become the Spring fish of 1842, or the Winter fish of 1841. He has marked great numbers of fish, but without any satisfactory result; he marked some with silver wire, but never caught them again. Is of opinion that it is not possible for the fish to be recruited sooner than ten months after spawning. A great part of the Liffey Salmon is cut up for crimping. The Spring fish have not the pea developed in December, January, February, March, and April. About nine years ago he went to the upper part of the river to look after the protection, and he found that there was no such thing as a Salmon seen there. He then commenced letting them run up; and when he heard that Salmon were seen at Ballymore-Eustace, he began to protect; and from that time the fish increased in number. Every facility of passage for the fish will improve the fishery. Obstacles in the river necessarily affect the time of spawning: because, if the fish be obstructed, they will not spawn so early as they otherwise would. Frosty weather is the proper time for spawning, and the fish should therefore be ready to advance upon the beds at that time. It is, therefore, of the utmost importance to give every facility to the early upward passage of the fish. It is possible to prevent their getting up till January, and this has an injurious effect upon the progeny; for early spawning produces a far superior progeny, if not an early produce. The tem-

APPENDIX, No. II.

The Liffey.

Season.

Improvement.

Spring fish.

Protection.

Spawning.

APPENDIX, No. II.	perature also affects the progeny; for if the spawn be deposited too late, it will be
<i>The Liffey.</i>	matured too soon. Spawn deposited in November will be matured, say in March, by the
	natural course of the season; but if deposited late—say in January—it will be driven to
	maturity too soon by the natural course of the season. If there were fish to go up to
	spawn after October, he would extend the season, but such is not the case. The run
	ceases after June and July. Mr. Kimberly, and others, reaped more advantage than he
	did from protection. The bag net has been in use for the last ten years in the sea. The
Protection.	result of his allowing the fish up, in July 1839, was, that in 1842 there was an immense
	increase: but as the experiment was not repeated, the fishing has not been so good since.
	1843, compared with 1825, was a much better season; there was four times as much fish
	taken in 1843; the increase since 1825 has been four-fold. There has been no protection on
	the river except what was extended by him; he pays at present three water-bailiffs. The
	upper part of the Liffey flows through private demesnes, and thus persons are prevented
	from going near the river for the purposes of destruction; the demesnes are those of
	Messrs. Latouche, O'Connor Henchy, Carter, and Roberts. He has the cordial co-opera-
Observance of law.	tion of these gentlemen, and in return gives them the observance of the weekly Close
	Time, and every facility to the upward passage of the fish. The Island Bridge weir is
	regularly opened on Sundays, except when they run short of water to work them, and at
	that time it is of no value to have it open, because the fish cannot get up. There is a
	cessation in the run of large fish in April, or the beginning of May, when the run of Peal
	commences. Thinks that the fish which go up in January spawn the November following.
	Is of opinion that the Spring fish will not run up farther than Island Bridge; and if not
	taken there, will return to the sea; and this is so well known, that the gates are not put
	in the weir till the warm weather. The first day they fish, they generally catch as much
	as during the entire month after; the fish hang and wander about, and will not go up.
Obstructions.	There are about fifteen weirs between his place and Ballymore-Eustace. Is of opinion
	that there are more weirs between him and Carragh Bridge than were enumerated by his
	bailiff. Not a fish can pass any of them in low water, either up or down, and no attempts
	have been made to make passages over them. Lucan weir is the worst; and he offered
	to pay half the expense of a pass over it. The chief spawning grounds are between Kil-
	cullen and Ballymore Eustace; there are none of any importance in the tributaries.
Spawning.	Concurs with the preceding witnesses as to the time of spawning. The 13th November,
	last year, his bailiff told him that there were great numbers on the spawning beds, under
	the bridge at Ballymore. Heard that, towards Christmas, the fish were all off the beds.
	The pea begins to get large in the Peal in June and July. Salmon go up in those
	months along with the Peal. The fish become very bad in August and September;
	so much so, that the fishing by common law right ceases then. A spent fish can get
	through the gates of the weir at Island Bridge during the Open Time. Not one of
	the spents have been seen passing down the Salmon Leap, for they go down in floods.
	The spent fish go past his weir also with floods. Believes that when spents are
Migration.	taken, they are thrown back into the sea. Opening the whole river would greatly
	facilitate the downward passage of the spents; they go down immediately after spawning.
	If there be a flood in April, all the Fry go down in that month. He saw Fry in the
	river in June; and they were so worn and weak from the length of time they remained
	in the fresh water, that he took them easily with his hand. Fishes with nets only,
Mode of fishing.	and has no cribs or boxes at present. Is now fully of Shaw's opinion as to Gravelling
Gravelling.	and Fry, but heretofore entertained a contrary one. He stood at the fall, at Golden
	Water, with a number of anglers; and on asking them, did they ever get Gravelling
	there, they replied they had not. There is the greatest abundance of them in the river,
	but none above the Poolaphuca Fall. The draught net must, in all instances, be longer
	than the breadth of the river. Is of opinion that the present mesh is too small in the
Mesh.	draught net, if the object be to let the Salmon Peal through. The present mesh would
	take a four pound fish; and he thinks it desirable that such sized fish should be preserved.
	Is not an advocate for reducing the size of the mesh, and would have the same sized mesh
	for all nets, both draught and stake. It is quite true that the Trout escape through the
	large sized mesh; but he cannot get over the difficulty arising from taking the small sized
Prices.	Salmon. The price of the fish has been always regulated by the supply. He has known
Arrangement of	January fish to be sold sometimes for 1s. 4d., and then again, for 3s. a pound. He would
seasons.	make one season for the <i>sea and tideway</i> throughout the entire country; and thinks it
	would do no injury to fish in the sea and tideway in December and January. In the
	Ballyshannon fishery there are no Spring fish; the fish do not go up there till about the
	1st May; while in the Bundrowse, which flows into the same bay, there is a great
	abundance of Spring fish. In two rivers, one of which has an early fishery, and the other
	not, the early fishery may be allowed in both. There ought to be a uniform Close Season,
	and to effect this there should be a compromise. The early fish go up farthest. There is
Angling.	no obstruction to angling on the Liffey, and he is glad to see any respectable person
	enjoying that amusement; but persons go up under pretence of angling, when it is
	really to use the gaff. The rod is carried in one hand, and a long barbed gaff in the
	other; and with this more fish are killed than with the rod. The gaff, strokeall, and spear,
Gaff, spear, &c.	should be altogether interdicted; first, because these instruments, generally speaking, can
	only be used where prohibited; and, secondly, because the gaffer wounds ten for the one
	he catches. A great number of the fish he takes have marks of the spear upon them; and
	hence, he would interdict the use of these implements. Three years must elapse before
	there can be any advantage derived from the observance of the Close Season. He has

observed Eels in the river, but there is no Eel fishery in it. Nets are sometimes used to take them, but there is no Eel weir in the river. There is a great run of white Trout at his weir. Before the late Act he used to take £20 or £30 worth in the year, but now he gets none; he is glad of this, because it is likely he shall get them when large. The following is the number and weight of the Salmon taken in the Liffey for three years:—

	Salmon.	lbs.		Salmon.	lbs.		Salmon.	lbs.
1840,	513	3,029	1841,	447	3,630	1842,	1,543	9,328

This includes both Salmon and Peal. He does not think that twelve spents have been taken in his weir during all his time. He has a stake bag net and a bag net. £392 are the entire expenses of his fishery for the season; this sum includes labour, materials, and every thing except rent. His profit last year was very poor; his take in the tideway was pretty fair; almost all he got were taken in the sea. The bag net takes the bulk of the fish which are going to the river. His water-bailiff seized a bag net with Salmon in it; marked the fish and let them go; and in five days after they were caught at Island Bridge. He formerly had a prejudice against the bag net, but is now of opinion that both it and the stake net are desirable, because they will always catch fish; they are, indeed, very efficient instruments, and catch the best description of fish. The bag net is a very expensive mode of fishing; the implement itself is expensive; it costs £12 or £15; and it is liable to be lost. He pays rent for his fishery at Poolbeg; others fish there by Common Law right, but it is objected to by Mr. Keegan. He never got a shilling towards protection from the lower men.

SECOND DAY—DUBLIN, WEDNESDAY, DECEMBER 11, 1844.

Mr. Worthington having offered himself for re-examination, as being desirous of giving some additional information on the subject of the inquiry, and as his evidence of the previous day was not published in the newspapers, his request was acceded to, and the examination resumed.

The Island Bridge weir is now the property of the Messrs. Manders, to whom he sold it in 1841. They have since complied, in every respect, with the law, both by opening the gates at proper times, and not working on Sunday. He does not believe that they ever worked the mill on Sundays. There are four gates on the weir—one enters into the pond, there are two in the centre, and one in the wall next the factory. The second is the one that is opened. When the water is high it strikes the top of this gate, but when of a moderate height the light can be seen through it. The parties who complained of the Messrs. Manders wished *all the gates* opened, and these gentlemen said they would open any *one*, but not *all*. He was examined as a witness; and he said that the middle gate, being the largest, would probably be the best to have opened. The crotchets are put in all the gates in the fishing season.

Patrick M'Evitt here stated, that he had seen many spring tides, and the water did not go within six feet of the gate which *Mr. Worthington* wished to have opened. The other gate was more suitable, because it was on the natural bed of the river. *Mr. Worthington* wished to have that gate open which was next the weir, that it might bring the fish in to himself.

Mr. Worthington would swear that the water comes within six inches of the sill of the middle gate, which he recommended to have opened. The fish can get up all with equal facility; but he wishes the middle in preference to the far off gate, because the latter opens to poaching, and the middle gate, being near his residence, could not be shut down without his knowing it.

Mr. MULVANY.—Could not your own servants close that gate, and thus do what you complain of others doing at the mill-race?

Mr. Worthington.—Yes; but such a thing is less likely with that gate.

Examination resumed.—The Island Bridge weir is no obstruction to the progress of the fish; but those on the upper part, where the fish are obliged to lie for a month until the occurrence of floods, are the real obstacles on the Liffey. If the fish had perfect passes over the weirs they would run up twenty or thirty miles, but not to the very high parts of the river. In reference to Crosthwaite's factory, he wished to state, that he waited on the Messrs. Crosthwaites at the time when the chemical matter, coming from their factory, injured the fishery, and represented to them the destruction which was produced by the gaseous matter which floated down the water. This was in 1838; and they, in the most handsome manner, had a reservoir constructed, into which the gas tar was turned. Is of opinion that this factory is now no injury to the fishery; he used to find the gaseous matter on the water, but does not perceive any now. He heard that the tar which was collected in the reservoir used to be sold as a material for preserving wood. He has not seen the reservoir since 1838 or 1839; it was staunch at the time; and now he does not see any of the noxious matter on the water. If what *M'Evitt* stated yesterday, in reference to the spawn having been taken up parboiled, were represented to *Mr. Crosthwaite*, he would instantly remove the cause of complaint. He never prosecuted a man for angling; the person alluded to yesterday was prosecuted for gaffing at a weir at Lucan. Is of opinion that an angler is an acquisition on a river. He wished to repeat, that the principal spawning grounds were at Ballymore and Kilcullen; and that the protection on the river was most ample, in consequence of the assistance afforded by the gentlemen through whose demesnes the river runs. He thought it right to explain the word "river," as used by some of the witnesses.

APPENDIX, No. 11.

The Liffey.

Trout.

Produce.

Expenses of fishery.

Bag net.

Observance of the law.

Weir.

Obstructions and injuries.

Angling.

Protection.

APPENDIX, No. II.

The Liffey.

right of fishing was exercised from half a mile below the Light-house to Poolbeg; and the persons who fish there are in the habit of calling it the river; whereas, it is more properly the channel or tideway. It is there only the seines are used. He has seen the fish pass up beyond the Salmon Leap, and yet they would not appear at Ballymore and Kilcullen until the spawning time. The fish will not go up to the upper part of the river until a late period, nor would they if all the weirs were removed.

To Patrick M'Evitt.—Witness had a man in his employment, named Henderson, who raised the gate of Mr. Mander's weir, but under Mr. Mander's direction. He had no property in the weir whatever; his man did nothing at the gates without the permission of the Messrs. Manders; and so much was the weir their property, and under their control, that he had to ask permission of them to walk upon it. There was an arrangement between him and the Messrs. Manders in reference to opening and shutting the gates. If there were 1,000 fish at Island Bridge weir on Saturday there would not be one there on Monday morning. On the 5th October last, he prosecuted and convicted two persons, M'Keon and another, for killing thirty and odd Salmon at Lucan weir. Catches fish on Friday and Saturday, and keeps them in a pond, so that he may send them in to market early on Monday morning; a great advantage is obtained by being able to have the fish in early on that morning.

William Campbell, sworn.—Is a fisherman, a millwright, and a native of Scotland.

Has been fishing in this country about Blackrock and Booterstown these thirty-five years. Fished rivers in Scotland also. He took a lease of the fishery along the coast from Ringsend to Blackrock from Lord Pembroke, but was obliged to discontinue it, for the people turned out against him. Fished that fishery with seines for four years, from 1818. He first employed people from Ringsend, but they turned out against him, and tore his nets. He then brought men from Scotland, but the people would not allow them to fish. He fished with stake-nets also; and put up one which he afterwards sold to Lord Cloncurry. Lord Cloncurry has his fishery on the estate of Miss Byrne of Cabinteely. Witness is at present manager of Mr. Worthington's fisheries. After the lease of his stake-net fishery at Maritimo expired, he used the bag net, and he was the first person that brought that implement here about eight years ago. He fished with the bag net at the North Bull, and was not in any way interfered with there, but he gave it up for want of success. There is more fish to be caught now than there was then. He has Mr. Worthington's bag net now where he had it before on his own account; and had successful fishing there last year.

Bag net.

Produce.

Mode of fishing.

Produce.

Time of fishing.

He used to catch about seventy Salmon in a season when he fished the North Bull on his own account; and when he fished the Liffey with seines he used to kill about 200 in the year; the year of the cholera he caught about 800 in the net in one haul. Began to set the bag net for Mr. Worthington in January, 1844; it stretches beyond low water mark. Fishes only at one side on both flood and ebb; the fish are taken coming from the strand, and going towards the river. The net stood the entire season, and there was a very heavy sea during the entire time. He took from 600 to 700 Salmon last year in the bag and stake-bag nets. The bag net was placed 120 yards from the end of the wall; and the stake net about a quarter of a mile higher up. He catches the fish coming from the strand in the stake as well as in the bag net. Commenced to fish last year on the 22nd January, and from that to the end of the month caught in both bag and stake nets 17 Salmon; February, 20; March, 60; April, 109; May, 95. In all his fishing in the tideway of the Liffey, he never caught a spent fish. Fished this year till the 10th August. The fish are in good season in that month in the sea, but when they go up the river they become bad. Was obliged to stop on the 10th, because the nets were maliciously cut. He used not to catch in August more than about four or six each day; there is a falling off in the run of fish in that month. The pea begins to show an increase in July; and is very much grown on the 1st August. Used to fish there in September; but caught very few. He at one time fished at Sandymount with a seine in September, and caught numbers of fish all out of season; the place where they used to draw the seines at Sandymount was a lake which was formerly the old channel of the river. Is of opinion that some fish which cannot get up the river spawn in the sea, near brooks and fresh running waters. About forty years ago he read that opinion in some book, the name of which he does not now recollect. In calm weather he catches at Crab Lake a small weak description of fish; but when an easterly or southerly gale sets in, they catch a great abundance of large fine fish with sea-lice on them; these fish have only very small pea or milt. The fish caught in the bag net are the best description; they would not be caught if not by the bag nets; or, if caught up the river, a great many of them would have become bad by being in the fresh water. The February and March Salmon are the prime of all. The others do not begin to fish as early as he, except Kimberly; and he has been successful in the early season. Some men here tried the bag net at Killiney, but without any success. If a man had a shore to let for bag net fishing, he would consider that one-tenth of the fish would pay him well, the fisherman incurring all risk and expense. Does not know any very good situation for the bag net in Ireland. The shores here are too shallow, and before you get into deep water the leaders become too long for effectual fishing. Sixty feet of water is the greatest depth he has known the bag net to be used in: in that case the leader was thirty feet, and the bag thirty feet also. He knows a place in the Bay of Nig in Scotland, for which £10 per annum was formerly paid for the bag net fishery, and it afterwards brought so much as £720 a-year. Has examined all round the east and south-east coast of Ireland. There are prime places for the bag net round Waterford, and along the sea coast near the Blackwater. The harbour of Kinsale is pretty well suited for it also. There would be no fish in the market if the supply depended

Rent.

Bag net.

upon the cotmen. The still net could not be used from the King's Bridge. The Salmon run along the edges of the river, and not in the deep water; and it is therefore quite a mistake to fish out in the middle. From sixty to 100 fathoms is the best length of net; he has fished nets of seventy-five fathoms long, and they were better than if 200 fathoms. When a very long net is shot, those who are coming after are disappointed, and a proportionate quantity of fish is not taken. He never hauls upon chance, if possible, but always watches for the approach of the fish; this is a saving of labour, and a greater quantity of fish is caught by waiting for the run. The fish can be more easily seen approaching, when the wind blows in the direction in which they advance. The most useful length for the leader of a bag net is thirty fathoms; his was forty last year, but he will shorten it to thirty in the coming season; the length of the leader, however, greatly depends on the situation. He had, at Blackrock, a stake net of 300 fathoms in length, and with only one chamber; it would have been better to have had two or three chambers. The Earl of Hopetown has a stake net in the Tay, three miles in length, the chambers of which are forty or fifty fathoms asunder. If the leader be too long before there is a chamber, the fish will fall off, and will not pursue it. He used to catch Turbot and Mullet at Blackrock. In Scotland, nets of two feet deep are used for catching Turbot; they are leaded and corked; they are used in the deep water, and have a very large mesh in which the fish become entangled. They are also in the habit of setting a very strong net near the bag net, and thus succeed in catching numbers of Seals. January is not too early for fishing in the sea; the best season would be from the 1st January to the 10th August, but he thinks the bag nets should get a little time longer. The whole fishery in the bay and river produced from 5,000 to 7,000 Salmon last year; and he is firmly convinced, and he has been considering this subject a long time, that if the river were protected, passes made over the weirs, and the noxious substances not discharged into the water, the annual produce would, after five years, be 50,000 Salmon, of an average weight of seven or seven and a half pounds. Fish endeavour to spawn in the Dodder, but the gravel there is too hard, and the spawn is destroyed. The average price of fish in Dublin, taking the whole season, is about 1s. a pound. He has seen a yellow deposit on the ground, down so far as Poolbeg. The water in the Liffey is adulterated with noxious and deleterious substances, which are most destructive to the fishery. The filth passing through the sewers of the city is also very injurious; and the turning off of this and the other noxious matter in channels separate from the river, would most wonderfully benefit the fishery, and would, in his opinion, pay the expense incurred in the works necessary for this purpose, by the manure and chemical matter which would be obtained. At the gas works in Glasgow, tanks are made, in which the gas water is deposited; the solid substance remains at the bottom, while the fluid oozes through the ground, and thus the river is not poisoned, and the fishery destroyed by this matter. The places from which the matter so destructive to the fishery of the Liffey proceeds are, first, at Ringsend, a sal ammoniac factory, which communicates with the Dodder; second, gas works, near the draw bridge, Ringsend; third, the new gas works on Sir John Rogerson's quay, communicating also with the Dodder; fourth, Jones' vitriol manufactory, Cook's-lane, near Bloody Bridge; fifth, Henry's factory, Island Bridge, at which an immensity of vitriol is used; sixth, the skimmers establishments in Watling-street, where great quantities of lime are used; seventh, Darcy's brewery, Thunder's brewery, and Jameson's distillery, which discharge wash, hot water, and grains, into the river; eighth, the vitriol works, at Ballybough Bridge, which are exceedingly injurious; ninth, the filth of the several sewers; and lastly, the soot which is thrown into the water by chimney sweepers, and which he has seen floating in heaps down the river. The fish go up the Tolka to spawn, but there is a weir on that river which effectually stops their progress. The surplus water of the two canals is a great benefit to the fisheries.

Mr. Worthington observed, that he thought it would be injurious to facilitate the passage of the fish too high up the river, as he conceived they would be destroyed for want of water. It was also a conviction of his, that a river can be overstocked with fish.

William Lewis, esq., agent to Lord Cloncurry, claimed, on the part of his lordship, permission to take white fish in a stake net, in the Close Salmon Season; he would undertake that no Salmon or white Trout would be killed in the net.

Mr. MULVANY observed, that the application was made under the 39th section, and in order to obtain the necessary licence of the Commissioners, two things should be shown; first, the existence of a prescriptive right, and secondly, that the implement was such a one as would not damage the Salmon fishery.

The following are the grounds of his Lordship's claim, and the conditions upon which he proposes to use the weir:—

Some time ago Lord Cloncurry erected a stake net on the coast, between Blackrock and Kingstown, in the Bay of Dublin, full five miles from the Liffey, or any other Salmon fishery. It was intended for sea fish alone, of which it caught a large number, with an occasional white Trout or Salmon. Being on the border of a tempestuous sea, it could seldom be kept up more than three or four months—June, July, August, and September. In July 1844 it was thrown down, and Lord Cloncurry was forbid by the fishery laws to erect it again; he was also desired to have the meshes of a size which allowed the escape of most sea fish, though not of Salmon. He would very willingly give security not to take Salmon, or to take them for two or three months only, the sea fish being his object—such as Eels, Flounders, Gurnets, Mackarel, and Codling. He once caught upwards of 800 Mackarel in one tide. The take of Salmon never was so great as in 1844, with the

Turbot nets.

Season.

Produce.

Average price.

Destruction from
noxious substances.

APPENDIX, No. II.

The Liffey.

Stake weir.

wide meshes, having caught nine Salmon in one tide. The number caught, June 1844, was 54; July, 113; August, to the 3rd, 6. Total number caught in the weir in 1844, 173.

Richard O'Neill, produced by Mr. Lewis, sworn.—Has been steward to Lord Cloncurry these fourteen years. Had a stake weir since 1830 until five years since. It was put up again this year, in May, and was fished from that until August. There were upwards of 170 Salmon caught from May to August. The first Salmon was caught on the 1st June, 1844, although the weir had been up the entire month of May. Caught Hake also, but not more than three or four in the season: but Conger Eels were taken in it of very large size, and in great quantities. Flounders, Plaice, Pollock, and Baice, were also caught. Has no account of the quantity of white fish which was caught; but what was not used in the house was given to the men about the place. The net cost about £100, and there were several holes made in it since it was blown down. Never caught, in former years, more than eighty or ninety Salmon in it during a season. There has been an addition put to it, which is a great improvement. June, July, August, and September, are the months in which the greatest quantity of white fish is taken. No white Trout or Mullet are taken, in consequence of the size of the mesh. They kill most Salmon in rough weather, but the net is then more liable to damage. There was a bag net, belonging to Sir H. Lees, set to the eastward of the stake net this year.

Produce.

Mesh.

William Cullen, sworn.—Is a fisherman, and fishes for Salmon, Mullet, and Flat fish, in Dublin Bay, from Blackrock to Poolbeg. Fishes with seines, and at low water, between the slack of the ebb and the first of flood. Never drifted for Salmon on half ebb; nor does he use seines for casting in the deep water, and hauling the Salmon into the boat. Fished in Killiney Bay for a fortnight, in the month of February, and did not catch a fish. He could set a bag net out from the land, in the deep sea. Had one this year in the Bay; the leader was about 100 yards from the Light-house, and was not attached to the land. He considered he had a right to fish with the bag net, without any permission from any proprietor of land opposite which the engine was fixed.

Killiney.

Bag net.

Mr. MULVANY here thought it right to explain the Act, in reference to the bag net; and having read and commented upon the 18th and 19th sections, he admonished the witness upon the course he was pursuing, and the danger to which he was exposing himself.

Mesh.

Examination continued.—Is of opinion that the present mesh is too large, and that a mesh of eight inches all round would best suit all purposes. He saw a five pound Salmon escape through the present mesh. Shoots his net out of a boat, in a half moon line. Cannot tell the quantity or price of the fish he has taken in a season. Began to fish with the bag net, in the Bay outside the Light-house, in the month of February, but did not catch much fish then. June was the best month, but he thinks that February was not properly fished. Thinks there was a great deal more Salmon taken by each net in 1843 than in 1844, but that there was more on the aggregate taken in the latter year, because there were more persons fishing. He fished in August, and got as good fish then as in any other part of the year. Did not fish late in August, because the quantity of Salmon fell off so much at that time that the fishing would not pay. The price was bad, and the quantity taken small; but if the price were as good as in March, it would be worth while to fish late in August. Is of opinion that the present Close Season, from the 12th February to 20th August, is the best. Mullet come in large quantities in February, March, and April; they are not so plenty in June, July, and August. He has taken 1,500 Mullet in one haul, and 3,000 at another; this was at the lake, in Sandy-mount. *Witness thinks he might go to Sidney, only for the 3d section of the Act.*

Comparative produce.

Season.

Mullet.

Patrick M'Evitt said, that he considered Campbell was right in his calculation about the quantity of fish taken in the whole river. He also wished to inform the Commissioners that the steamers—when they began to run in great numbers, in 1825—used to frighten the fish very much; they used often jump out of the water and be killed on the bank; but now they had become so accustomed to the packets that no matter what number was running they were not in the least disturbed.

Prices.

Mr. Clements thought that 8d. was the fairest average price per pound in the Dublin market, considering the few sold at 2s. and 2s. 6d., and the short time that this price was paid.

Mr. Worthington expressed a similar opinion; and Mr. MULVANY having called upon those present to forget their former differences, and co-operate in forming a protective association for their general advantage, the Liffey Inquiry terminated.

No. 1.—LETTER from ROBERT WORTHINGTON, Esq., on the subject of the Close Season.

Fishery, Island Bridge, January 29th, 1845.

No. 1.—Letter from Robt. Worthington, esq.

The subject of the Close Season for Salmon has occupied, for a long time, my most serious attention; and I do not hesitate to state it as my opinion, that a uniform Close Season for all rivers, commencing and terminating at a late period, will not satisfy the public, or meet the exigencies of the case.

As this question will be, and ought to be decided upon public grounds rather than with reference to private rights, the facts and arguments I shall now submit shall have reference to the subject in its public bearing.

I am aware that a strong opinion is entertained in the quarter where the decision will be made, of a contrary tendency; but, having often seen, in the highest tribunals of the land, the preconceived opinion of the court given up to argument or to evidence, I enter upon the subject with the full per-

suasion, that the Commissionere (who have not yet concluded their inquiry) will decide this important question according to their final convictions, and not according to any preconceived opinion.

I shall endeavour to examine the matter methodically, and to compress my observations as much as possible.

I shall first compare the advantages with the disadvantages of a uniform Close Season, and see where the balance lies.

The sole advantage that I can discover of a uniform Close Season is, that it affords facilities to detect offenders, and to prevent fishing in the Close Season, since wherever a Salmon is found in possession in Close Time (if the Close Season be uniform) it must have been illegally obtained.

I will not underrate this advantage—it is a clear and manifest advantage; but my argument is, that it is a good purchased at infinitely too dear a price; and that the advantage is altogether outweighed and outbalanced by the disadvantages that attend it.

The disadvantages of a uniform Close Season, commencing late and ending late, are—

1st. The final bar that will be placed to the improvement of the fisheries, which nothing can restore to their former productiveness but a Close Season commencing early.

2ndly. The public will be deprived of an article of food for a month or two each year, without any equivalent whatever, except the advantage above referred to, which is merely an advantage in the *administration of the Law*; whereas, the disadvantage adverted to in this paragraph is a *direct* and *positive* injury to the public.

I conceive that the Commissioners, when their inquiry shall be concluded, will have no doubt that there are many rivers where a prime article of food, namely, early new-run Salmon, can be got when they are not to be got at all in various other rivers. I again instance Ballyshannon, one of the chief fisheries of Ireland, producing several tons of Salmon per day during the fishing season; they commenced formerly on the 1st May, and, although they can now commence upon the 12th February, yet they do not commence until about the 1st May; the reason is, there are no Salmon there until about the month of May, whereas in numerous other rivers the fishing is nearly over in May; they stopped fishing at Ballyshannon formerly on the 12th August, and now stop on the 20th August: now, here is a proof that the great disparity is at the commencement, namely, when the rivers can commence fishing and not when they should close; the time at which they should close is universal, but the time at which they should commence depends entirely upon the time the new-run of fish resort to certain rivers and coasts; this distinction nature has undoubtedly made. That such a distinction exists, and the difficulties it has given rise to, may be seen in all the Acts of Parliament upon the subject for two centuries. Nature has distinguished between early and late rivers, and it is in vain for man to seek to unite them—it is a refusal of the gifts of Providence to prohibit fishing in early rivers without an adequate reason, and the reason given appears to me to be wholly insufficient.

3rdly. The third disadvantage of a uniform Close Time, commencing and ending at a late period, is, that it actually uproots and confiscates property to a large amount, namely, the early rivers, without any commensurate advantage to the public. This, I consider, in a public point of view, as it is certainly of public importance that private property should not be injured or assailed without a commensurate public advantage. I again point attention to the only advantage attained, namely, a facility to detect poachers, and which poaching or fishing in Close Season can be prevented by other means.

4thly. A fourth disadvantage of a uniform Close Season, commencing and ending at a late period, is, that it will please neither party, and will eventually displease the public; the early rivers will consider that they commence and stop too late, and the late rivers that they commence and stop too early; and this will be the result whatever period be selected, unless experiment shall have brought the matter to proof, and the public will be dissatisfied at being deprived of a prime article of food, namely, early new-run Salmon, without a clear equivalent or advantage, the only advantage being a facility to prevent poaching.

5thly. A fifth disadvantage of a uniform Close Season, commencing and ending at a late period, existed at all events this year. Her Majesty had Severn Salmon on her table on the 7th of January last, as stated in the newspapers. Now, it was a statuteable offence in Ireland to have Salmon in possession this year until the 12th February. If this inequality be continued, it will not be considered "justice to Ireland;" it is giving a distinct advantage to English produce and to English markets.

6thly. A sixth disadvantage of a uniform Close Season is, that it will prolong discontent and agitation amongst those engaged in fishing, whether upon public or private rights. The question of the Close Season is one that intimately affects the profits of all those engaged in fishing, as in some rivers the season is over when in others it is only beginning. If this matter were now settled equitably, and were eventually settled as experiment and proof should direct, all parties would then harmonize and set themselves to further the objects of the Fishery Act, instead of making it, as now, an object of cavil; but this state of tranquillity cannot be attained if the early fisheries are to be sacrificed for an imaginary, or at least for a wholly insufficient reason.

Lastly. I come lastly to a most important consideration, namely, the disadvantage that will arise to the public (if a uniform Close Season be now fixed) in not bringing to the test of experiment the conflicting opinions that are entertained upon the subject of a late or early Close Season. A great philosopher has said that knowledge is only to be acquired by experiment and demonstration. I shall presently show that an experiment upon the subject of the Close Season has never been tried by Parliament, and that it can be now tried effectually under the eye and sanction of the Commissioners. The whole body of the legislation upon the subject shows that for the last two centuries this question has been under discussion, but has never been brought to the proof. The 8th Geo. I., cap. 7, fixed a uniform Close Season commencing 1st August. Had legislation stopped there, the experiment would have been tried, but the proviso, in a subsequent section, neutralized the effect, and allowed parties to fish whenever they pleased. So the 31st Geo. II., cap. 13, fixed a uniform Close Season commencing the 12th August, but the extension of the period, subsequently made, destroyed the effect. So the present Act fixes the 20th August, and the same process of extension is sought to be brought into operation. Now I consider the question to be decided is this: whether the uniform Close Season for all Salmon fisheries should commence at an early period—say the 1st of August, or at a late period—say 1st September or 1st October. The precise termination of the Close Season is of infinitely less importance, but for two centuries it has been a question whether the Close Season should commence 1st of August, or at a much later period; and I say that this question has never been tried or brought to the test of experiment.

APPENDIX, No. 11.

The Liffey.

No. 1.—Letter from
Robt. Worthington,
esq.
Advantages of
uniformity.

Disadvantages of
uniformity.

APPENDIX, No. II.

The Liffey.

No. 1.—Letter from
Robt. Worthington,
esq.

Now, I have already put forward my sworn testimony that, in my belief, the fisheries of Ireland can never be restored but by stopping all Salmon fishing on the 1st of August. I have stated, on my oath, that I believe the migration of spawning Salmon from the sea to be over in August. I find the same opinion put forward by various parties in numerous parts of Ireland, in evidence before the Commissioners. I find it in the only printed report I have, that of the Coleraine meeting, page 30, where the witness says, "I think the 12th August is the proper time to commence the Close Season, and that the Salmon would be far more productive if they were allowed to go up from the 12th August. It is witness's opinion that *the great run of the fish is over on the 12th August.*" Now, when persons engaged in fishing give this testimony, its sincerity and truth cannot be questioned, for Salmon are always abundant at the commencement of August, and persons engaged in fishing could only wish to be restrained from killing them at that time from the conviction of its great necessity.

There never was a greater mistake than to suppose that there is any danger of too many Salmon going up our rivers to spawn; the undoubted cause of the decline of our fisheries is, that too few go up.

If, 120 years ago, the legislature of Ireland, composed of persons who knew the fisheries personally, thought that Salmon fishing should be stopped upon the 1st August, how much more necessary is it now, when such vast improvements have been made in the modes of catching them, making it almost impossible for a Salmon to escape all through the season, the modern bag nets and stake nets thinning them in the sea before they even reach their rivers, where they are again swept off by every improved mode of river fishing.

It is an undoubted mistake to suppose that the 20th August is an early commencement of the Close Season. The latest uniform Close Season fixed by any of the Irish Acts, was the 12th August; but the 8th of Geo. I., cap. 7, fixed 1st August. *Days* at this period are of the utmost importance. I consider the 20th August to be a very late commencement of the Close Season, and the "wisdom of our ancestors" is in favour of my opinion. But others think differently, and, whether right or wrong, misled or deceived, it is not to be denied that opinions upon the subject are conflicting.

What, then, is to be done? I answer, and respectfully submit, that it is the bounden duty of the Commissioners, since the Legislature has left it in their hands, to bring this matter to the test of experiment—to try the question, and decide it, not by opinions, but by proof. I most sincerely believe that this experiment, if tried, will be attended with the most signal results.

My suggestion, therefore, is, that the Commissioners should fix a general Close Time, to commence and end at such a period as they think fit; and then declare, that certain rivers, being "early rivers," should commence fishing one calendar month before the general fishing season, but that such early rivers should cease fishing upon the 1st day of August, the "early rivers" to be such as applied for that purpose, or such as the Commissioners, from the evidence before them, considered to be "early rivers." By this means all parties, and the public, would be satisfied, and an experiment of the utmost magnitude and importance would be performed under the eye and sanction of the Commissioners.

My firm belief is, that a uniform Close Season would result from this experiment, as I have no shadow of doubt that if the early rivers be stopped fishing on the 1st August, in those rivers an effect so astounding will be produced, that all parties, the Commissioners, the public, and the proprietors of late rivers too, will come forward to call upon the Legislature to fix a uniform Close Season for all the rivers of Ireland, commencing the 1st August.

In conclusion, I would earnestly and respectfully intreat the Commissioners to try this experiment like Columbus, I would stake my life upon the result; he *knew* that by steering due west he would come upon the land; and without claiming to be a discoverer (for this discovery was made by the Legislature 120 years ago), I *know* that if Salmon fishing be stopped on the 1st August, our rivers will again, and at once, teem with abundance; Salmon will be the food of the poor, as formerly, and the only doubt I have (which doubt I know to be entertained by many engaged in fishing) is whether this glut of Salmon will increase or lessen the profits of us fishing people.

If this experiment be tried, and the result be as above stated, to the Commissioners will the merit be awarded for having sifted, tried, and analyzed a mass of conflicting evidence; for having discriminated between the statements of error or of selfishness, between proof and assertion; for having adopted the true test, that of experiment; and for having, to the lasting benefit of the country, brought to a satisfactory decision a question which has been wavering in doubt and difficulty for nearly two centuries.

ROBERT WORTHINGTON.

No. 2.—LETTER FROM ROBERT WORTHINGTON, Esq., to J. R. BARRY, Esq.

Fishery, Island Bridge, December 1st, 1845.

No. 2.—Letter from
Robt. Worthington,
esq., to J. R. Barry,
esq.
Question of Close
Season.

DEAR SIR,—Will you have the goodness to submit in any way you think proper, the following observations to the Commissioners of Irish Fisheries.

As Lessee of the Liffey and North Bull Fisheries, I respectfully and finally apply for an early commencement of the Close Season. I am perfectly certain that from the source of the Liffey to the sea, but one opinion prevails, namely, that the river has been fished out, and that this river, and all other early rivers cannot be stocked with breeding fish, otherwise than by stopping early.

Having giving every consideration to the valuable suggestions of Mr. Commissioner Mulvany and yourself, it is still my unalterable opinion that fishing an early river beyond 12th August must consign it to ruin.

It is not my wish to increase the embarrassments of the Commissioners upon this subject; the calm and pains-taking spirit in which the investigation has been conducted, has quite convinced me, that the onerous duty which devolves upon the Commissioners will be discharged faithfully and zealously; and so impressed am I with these feelings, and with the difficulties which surround the Commissioners, that whatever may be their decision, or whatever course I may take hereafter, I will neither cavil at their decision myself, nor tolerate, or listen to it from any with whom I may correspond.

I was always impressed with the perplexity of the subject, and my late interview with Mr. Mulvany and yourself, have but opened my eyes to new difficulties and fresh embarrassments, with which I was not before acquainted; these have quite satisfied me that the whole question is a labyrinth out of which no direct or straight exit can be found.

This labyrinth is formed not merely by the various interests, each dragging different ways, but by the peculiarities of the fish itself, as regards its habits in different rivers and coasts; and also by peculiarities in the position of the rivers in different parts of the kingdom, or in their junction with the sea coast.

But, notwithstanding every difficulty, I still think that a uniform season will never permanently settle the question, or suit the Irish fisheries; between which, and the Scottish fisheries, climate has made a most material difference, and unless the question be permanently settled now, nothing has been attained by the inquiry.

Viewing the subject in all its bearings, I think that a different season for early and late rivers is unavoidable, and is the only way in which the question can be adjusted; with this impression, and viewing the matter in every possible shape in which I can survey it, it appears to me (with due submission to better judgments) that a season for early rivers, commencing 10th or 12th January, and ending 10th or 12th August; and a season for late rivers commencing 10th or 12th February, and ending 10th or 12th September, will be a better settlement of the question than any other that can be made.

In coming to this conclusion, many of my sources of information are derived from Mr. Mulvany and yourself.

But the embarrassments you have pointed out, appear to me, though great, to be of less magnitude than others that will arise from a uniform season.

It is not my wish, and it is far from my feeling, to increase to the Commissioners the perplexities of this question, but I cannot help pointing to the anomaly that will arise if the Commissioners fix a late season for early rivers, say a season terminating 1st or 15th September. Petitions to Parliament, and resolutions at public meetings will put forward this novel case—that various parties are desirous to nurse the rivers, but that the Commissioners compel them to fish them out—that proprietors desire to stop on 1st August, but the Commissioners force them to fish on until September—the parties seeking to stock their rivers, the Commissioners compelling them to destroy all their breeding fish. This, I say, would be a novel complaint in Ireland, but must inevitably result from fixing a uniform season.

Istly,—Having a period of four well selected months for Close Time in all rivers, and five months for each river, would, in my humble judgment, give full protection to all the Irish Salmon fisheries.

The second objection pointed out by Mr. Mulvany and yourself is a more perplexing one, namely, the contiguity to each other, of early and late rivers in some localities; still, in my judgment, it is infinitely less embarrassing than the objections that exist to a late uniform season, which, beyond all question, must consign many of the fisheries of Ireland to ruin.

The manner in which this difficulty may be met, (with due deference to better judgments,) would be by giving the suitable season to each river so circumstanced, and appointing to the estuary and sea coast adjacent, the late season; this would be the fullest measure of justice to the early river so circumstanced, that it was capable of receiving. If those concerned complained at all, their complaint should be, that the Commissioners had not effected an impossibility, but it would certainly satisfy them better than the uniform season, which would be ruinous to them; neither do I think that it would much injure such early river, (which would be still protected for half a mile from its mouth,) because the shoals of fish in the sea, at the latter end of the season are broken, and they are more inclined to go in pairs, for which reason the bag or stake net is not then so efficient an engine as at other periods of the season.

But the great and startling difficulty which presents itself to the Commissioners, will be to make any decision that will destroy any of the rivers of Ireland (of which they are the grand conservators), by compelling them to fish until all their breeding fish are destroyed.

Should any such decision be come to, Government would be called upon to compensate the owners of those fisheries, which were sacrificed for the public good, and this would give rise to fresh difficulties.

For all these reasons, I respectfully submit that the question of Close Season in Ireland cannot now, or at any time, be equitably or permanently settled by a uniform season.

Believe me to be, dear Sir, yours very truly,

ROBERT WORTHINGTON.

J. Redmond Barry, esq.

APPENDIX, No. II.

The Liffey.

No. 2.—Letter from Robt. Worthington, esq., to J. R. Barry, esq.

NO. 3.—LETTER from Mr. KIMBERLY, to Wm. T. MULVANY, esq.

9th January, 1845.

SIR,—The first day of the examination M'Evitt was not correct with respect to the number that were seining at Poolbeg. In the year 1843 there were only three, Curry, Farry, Kimberly, who being successful induced others to seine last year, when no less than eleven seined—Patrick Cullen, Irishtown; Dent, Ringsend; Farry, Ringsend; Cunnam, Ringsend; Day, Irishtown; Kiernan, Irishtown; Patrick M'Evitt, Parkgate-street; Langan, Clontarf; James Galvin, Lower Abbey-street; R. Worthington, Island Bridge; F. E. Kimberly, Capel-street; each of them had a boat and a crew consisting of between six to ten men, and their seines were from three to four hundred yards long.

I remain, Sir, with great respect,

F. E. KIMBERLY, 134, Capel-street.

Wm. T. Mulvany, esq.

No. 3.—Letter from Mr. Kimberly, to Wm. T. Mulvany, esq.

APPENDIX, No. II.

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at LONDON-
DERRY, ON THURSDAY AND FRIDAY, THE 16TH AND 17TH JANUARY, 1845.

SUBJECT OF INQUIRY.—THE RIVERS FOYLE, FAUGHAN, ROE, AND ALL THEIR TRIBUTARIES,
AND ALL OTHER SALMON RIVERS TERMINATING IN LOUGH FOYLE. THE RIVERS
RATHMELTON, LEANNAN, SWILLY, AND ALL OTHER SALMON RIVERS FLOWING INTO
LOUGH SWILLY, TOGETHER WITH LOUGH SWILLY AND LOUGH FOYLE, AND THE SEA
COAST ADJOINING FROM FANAD POINT, WEST OF LOUGH SWILLY, TO MAGILLIGAN
POINT, COUNTY LONDONDERRY.

Mr. Mulvany having concluded his address, SIR JAMES STEWART observed, that in con-
sequence of the statements which had just been made, in reference to the benefits arising
from the observance of the Close Season in Scotland, he had no objection to try the
experiment in his fishery for three years. Although at present convinced, that by such a
course, he would lose three months of his most profitable fishing; yet, when he saw it
adopted by others, who had forty-fold a greater interest in fisheries than himself, he was
willing to try the results which would be consequent on the observance of the present
Close Time, for three years. If, at the end of that period, these results proved unfavour-
able, he expected that he should have the benefit of a re-inquiry.

Mr. MULVANY said, that he and Mr. Barry were of opinion that there would be no
difficulty about such an inquiry at the time, and under the circumstances of which Sir
James spoke.

RATHMELTON FISHERY.

The Rathmelton.

Charles Logue, sworn.—Is clerk to Mr. Watt, of Rathmelton, who holds the fishery at a
rent from Sir James Stewart. Sir James and his employer divide the profits between
them, after paying the expenses. He is eight years in his present situation, and keeps
regular accounts of the produce of the fishery. Receives the return from a person in the
confidence both of Sir J. Stewart and Mr. Watt. He has kept the accounts himself but
one year. The following is a true return. It gives the number of Salmon taken at the
Rathmelton fishery, in 1842, 1843, and 1844, reckoning the year from each 1st November
previous :—

Produce.

Months.	1842.			1843.			1844.		
	No. of Salmon.	Gross Weight.	Gross sum received.	No. of Salmon.	Gross Weight.	Gross sum received.	No. of Salmon.	Gross Weight.	Gross sum received.
		<i>lbs.</i>	<i>£ s. d.</i>		<i>lbs.</i>	<i>£ s. d.</i>		<i>lbs.</i>	<i>£ s. d.</i>
November,	64	—	—	87	—	—	9	—	—
December,	106	—	—	395	—	—	66	—	—
January,	73	—	—	150	—	—	66	—	—
February,	84	—	—	58	—	—	29	—	—
March,	81	—	—	78	—	—	72	—	—
April,	87	—	—	221	—	—	79	—	—
May,	42	—	—	62	—	—	34	—	—
June,	181	—	—	166	—	—	272	—	—
July,	285	—	—	219	—	—	154	—	—
	1,003	8,523	395 13 0	1,436	12,399	547 11 7	781	7,954	221 7 6

Prices per Month.

	Nov.	Dec.	Jan.	Feb.	March.	April.	May.	June.	July.
	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>
1842,	12	15	15	15	15	15	9	6	3½
1843,	15	—	—	—	10	8	5	3	3
1844,	—	—	—	—	—	—	4	—	—

Prices.

This return, as far as it relates to 1842 and 1843, is extracted from the books kept by
his predecessor, who is now dead; it is a true and faithful extract. Of the 395 fish caught
in December, 1843, none were in an advanced state of pregnancy; but whenever such
were taken, they were thrown back into the water. He has charge of the fishery. He
did not open the December fish, of which he speaks, but he would easily know a breeding
fish by its spots. No fish are sold by wholesale in November and December. The fish
caught then are kept in large ponds, till January. Mr. Kelly pays at present 13*d.* per
pound in January, and the same in February, March, and April. He used to pay 15*d.*,
but Sir James lowered the price in consequence of the tariff, as the contractor could not

get the same price now as before. There is a Queen's gap in the weir, and it has been there since the late Act passed—during the last two years. He cannot tell the width of this gap. Provisions have also been made for the observance of the weekly Close Time. Directions were given that the weir should be opened every Saturday night, and a round iron was fixed into it, by means of which the gate could be raised at that time.

Charles Kelly, sworn.—Is a dealer in fish, and lives at Rathmelton. Buys all the fish of the Rathmelton river, and also some of the Lackagh and Letterkenny fish. He does not get any fish in November, nor does he get them till he is going to export—that is, at the latter end of December. The fish which he gets then, and which have been lying in the pond, are as good as those caught in January and February, but the skin may be a little affected. He never sold an unsound fish. He has frequently opened the fish, and observed their condition internally; the pea is never large in winter fish, but the pea and milt are large in the fish taken in August. The fish is more merchantable in November and December than in May, June, and July. The Grawls are more numerous in the latter month. The fish are in very prime condition in March, but there is no time at which they are in better season than November. He pays 15*d.* a pound in November, and the same price up to the 1st February; the next price is 10*d.*, which continues till 1st May, thence he pays 8*d.* and 6*d.*; the price falls off in July, in the English market, and in August it is not worth while to export. Some Peal are had in the latter end of May, but they are gotten in the greatest quantity from the 20th June to the 12th July. The Peal are from three pounds to six pounds weight, and the Winter fish from seven pounds to fifteen pounds; an odd one may be eighteen or nineteen pounds. He saw one above twenty pounds, but such an occurrence is very rare. He never gets any spent fish, and he would know a spent quite easily, although it might be silvery in appearance. He gets only a few white Trout from Rathmelton, but receives a good many from the draught nets in the tideway. Sir James has no stake net, nor is there one from his fishery down. Witness sends his fish first to an agent in Liverpool, and it is thence transmitted through the country. He has an ice-house, and exports almost all his fish; but if any gentleman in the neighbourhood wants any, he sells it to him at the Irish market price. There is no Eel fishery in the Rathmelton. He does not know any difference between the Rathmelton and the Letterkenny fish; but there is a slight difference between them and the fish of the Lackagh. He believes the fish are in better season in November, December, and January, than in May, June, and July. He sometimes cooks the fish for his own use, and finds them more curdy and much better in the former than in the latter months.

Edward Hillanan, sworn.—Is a fisherman, and lives at Rathmelton; fishes at the town and down the river. He formerly fished at the cutts, but has not done so for the last three years. He begins boat fishing on the 1st May, and from that time to the 10th, they catch the old fish.* They begin to get the Grawls about the 10th May. About the 1st August the breeding fish are first observed to go up. The weir used always to be opened on the 1st August, and set again at the latter end of October. The spents come down mostly in March and April; some few are coming down now; the great bulk descend in April, and they are all gone in May, or the close of April. Fry first come down in March, and they continue doing so during that month and April; generally speaking, all are down in May. The spents are always let past the weir, either by opening the heads of the cutts and allowing them to pass through the gills, or inscales; or by being taken up with a net, and put over at the other side of the weir. The wood grating has been always on the Carry. There is a Queen's gap in the weir, and it has been there for the last two years; it reaches down to the bottom of the river, and is about eight feet wide. It is placed in the main Carry, and the fish can go down through it, and could pass down through it a week ago. The rails are taken up on Saturday night; he is not present when the rails are raised, but he sees them up on Sunday. They do not take the gills away during the Close Time, as there is no necessity for it. He knows nothing of the spawning of the fish. Gets no large fish after May, with the exception of a few, which may come with the Grawls.

Francis Buchanan, sworn.—Is a water-bailiff. Lives at Killigs, near Church-hill, and watches the river about Gartan Lough. He also looks after the other men; and is employed the entire year round. Fish first rood in the spawning ground about the 1st November; they rood about the same time above and below the Lough, and never before the 1st November. They are done spawning about the 12th December; he never saw an instance after that time, and he has been seven years employed as water-keeper. He knows the entire river, both in the upper and lower parts; but as to time of spawning, he speaks only of that part of the river down to Kilmacrennan Bridge. There is no fishing, except for Trout, in Gartan Lough; nor is there any angling, except by gentlemen, who obtain leave to do so. The first time he observes the Fry, is in April; they commonly take a bait, but not a fly, and the little boys would then catch them in great abundance, if allowed: all are gone down in May. Spents go down the first floods after spawning; immediately after spawning, they drop down into the Lough, and there are no means of observing them after, as the water is deep from that place. From Gartan Bridge to Kilmacrennan there is no obstruction to the free passage of the fish. There is a grating on all the mills now; when first put on, they were torn off by the mill owners, and he brought the offending parties before the magistrates; but now they are allowed to remain on, and there is no dispute about the matter. Fry go down both ways, either through the grating or over the cutts. They would not be killed by the wheel if they passed down that way, but boys would have a better opportunity of destroying them there. There are Eels in

APPENDIX, No. II.

The Rathmelton.

Observance of the law.

Prices.

Peal.

Spents.
Trout.

Market.

Fishing time.

Former season.
Migration.

Observance of the law.

Spawning.

Migration.

* The large sized fish.

APPENDIX, No. II.

The Rathmelton.

Eels.
Observance of Close
Time.

Observance of law.

this river. There is not much difference as to spawning time in the several rivers; and all the water-bailiffs, about twenty in number, agree with him as to the time of spawning. The weir was open in November and December this year, and the fish were allowed to go up. He did not see any fish go up except the mother fish, which were going to spawn.

Charles Kelly, re-examined.—He used to get the Letterkenny fish all the year round. Got some in prime order in November; they were taken in the tideway, and caught in loop nets; this is a species of net fixed on a large frame, and the fishermen stand in the channel while using it. They catch more good fish there in December than in November. They let none pass that they can take, and they catch both good and bad; but he buys only what are good. Some attention has been paid this year to the Close Season, that is, *they did not fish so openly as before*. The fish, in August, begin to fail, and in the latter end of July also. He means by "fail," that they begin to be in pea. The Letterkenny is rather an earlier river than the Rathmelton. In the Letterkenny there are more fish in January and February than in March and April. The people do not like to have the river closed, as it was a free water before.

William Lane, esq., appeared on the part of Mrs. Moody and others, interested in the fishery of the river Roe, and applied for an extension of the Open Season to the latter end of September.

The Roe.

THE ROE.

Protection.

Spawning.

Modes of fishing.

Spawning.

Migration.

Former Close Time.

Angling.

Fishing time.

Spawning.

Migration.

Obstacles.

Spents.

Season.

John M'Allion, produced by the lessees of the Irish Society, sworn.—Has been bred at the Roe. Has been a fisherman, and fishes at present in the summer season. Has been a water-bailiff these three years, and is employed by the Company in that capacity. The river has been preserved about ten or twelve years. He watches from the deer park down to the bridge, on the down stream side of the leap. He saw forty Salmon on the spawning beds yesterday in that place, before the water rose. There are no cutts, stake nets, nor cribs on this river; but the Society once had a stake net between the Roe mouth and the bridge. Is employed to watch the breeding fish in the annual Close Season. There are several different gentlemen who fish with haul nets between the mouth of the river and the bridge—that is, above the tideway; but no one fishes below it, except Mr. Gage, who fishes near the mouth. There have been some disputes with regard to rights of fishing *below the bridge*. Fish can pass up the leap easily in good water. Observes the good fish to come in June and July, but not sooner. There is no net fishing before June. They smaller sized fish come first; they are from four to six pounds weight. The largest fish are running now, and they are all breeding fish that go up at this time. The pea begins to swell in November. The fish which go up in August are most commonly breeding fish, but the pea is not then so large as in November. Rooding does not commence till the week before Christmas at his place, but commences sooner in the higher parts. There are very good spawning grounds from the Carrick Rock to Dungiven, and the fish rood there a month earlier than with him. The latest time he saw spawning about his place was at Candlemas; the greatest number spawn below the leap, in January. His opinion is, that the fish which go up in June, July, and August, would spawn above, but the pea in those months is not larger than his little finger; it does not become perceptibly swollen until November. The spents go down in April and May; he saw them pass, along with the Fry. The Fry go down in May, and before it; all are down in June, but the river is black with them in May. No Close Time was observed till the last ten years; it has been observed since, but did not commence till 1st September. Knows nothing of the stake nets between the Roe mouth and Magilligan Point. If the fish which go up in November were not killed, this river would be sufficient to replenish the Foyle. There are water-bailiffs on the river, up to Dungiven; and there is no obstruction to angling, except when the anglers come on gentlemen's demesnes. He knows nothing of the value of the fishery. Those who fish with draught nets sell their fish. They used to fish in September, and he never heard any complaint about fishing in that month. He never heard such a thing spoken of as the "improvement of the fishery," or that a fishery could be improved like land.

Andrew Hughes, produced by Mr. Lane, sworn and examined.—Is a fisherman. Sometimes follows chandling, and lives at Newtownlimavady. Has been an angler these fifteen or sixteen years, but has been only one year fishing with the draught net for Mr. Lane. He used to commence angling about the 15th July. The Salmon did not appear in any numbers before then. The greatest number of fish are in November and December, but they are all breeding fish—heavy in pea and milt—at that time. The August fish are good eating fish; the pea is not then thicker than his finger; it is somewhat increased in September. He has angled at Dungiven, and found the fish in August and September in the same state there as in the lower part. The further the fish go up the river the darker they become. The rooding commences in the Roe in December; the greatest number of fish are on the spawning beds in January. He is not aware of what time they spawn in the part of the river higher up. The Fry are first caught with the fly about the middle of March; the great bulk go down in the middle of May, and some—but very few—in June. There are very few in that month except at the mouth of the river, where they stop awhile. There are no obstacles to the passage of the fish up to Dungiven in moderate floods. The spent fish go down in March, and not earlier, as far as he knows. The people used to commence fishing for them on the 17th March. Is aware that since the Act it is penal for any one to have spents in their possession. Thinks that there should be a separate season for the Roe, and that they should be allowed to fish till November.

THE FOYLE.

APPENDIX, No. II.

The Foyle.

Mr. Isaac Daniel, produced by Mr. Rennie, agent to the lessees of the Irish Society, sworn.—Is, and has been for the last twenty years, general superintendent of the upper part of the Foyle. The fishery extends to within half a mile of Lifford, and is entirely carried on by draught nets; these are from 100 to 300 yards in length. Where the small nets are used, the river is about sixty yards in width. If restricted as to the length of the nets there would be no chance of efficient fishing, as it is necessary that the net should have a good bosom. He employs from seven to eight draught nets between Derry bridge and Lifford, and additional ones are used in case of floods. When in full work about 100 men are employed in draught net fishing; and there is one boat to each net. He commences to fish in April if the weather be favourable. He tried the draught net in the latter end of March, but was unsuccessful. There are little cribs above on Lord Abercorn's land, which catch the fish that pass up in the floods. There was a Close Season on this river before the late Act; it commenced on the 1st September for proprietors, and the 12th August for the public. He sees the spents in March and April in great numbers; the longer they remain in the water the more declined they become; their heads become quite large as they decline. There are some mills on the river which obstruct the free passage of the fish, but he cannot say that they are great obstructions. The early fish push on to the head of the river, and get into the large branch, where they remain till spawning time. Is of opinion that the fish which go up first spawn first, but a great many of those that go up are caught above. He would like to have even the good fish preserved above. He never questions the rights of those who have right; the injury to the fishery is not done so much by this class as by those who have no rights. The water-bailiffs are under his charge. Rooding commences in the upper part of the river early in November; in the remote tributaries it takes place from the 20th November to the 20th December. There was spawning last week in the upper waters, and some few spawned this year near Strabane, in consequence of the great dryness of the season; but the fish endeavour to go up as high as possible. Scion mill is a great obstruction: it would decidedly benefit the fishery to have a pass made over that mill-dam, as the spents are destroyed there to a great extent. He observes the Fry coming down in April, but some must come down before then. The water-bailiffs occasionally look after the Fry. He has sometimes got permission to make breaches in the weirs, and let the Fry pass down. He had 159 water-bailiffs employed on the river up to Dungiven, and some were employed since: they were only employed during the Close Season. Fry are going down sometimes till June. In the latter part of August some fish are rather in a declined state, but they are still good; the skin is somewhat turned, and they are less fat. Notwithstanding that, he would fish up to the 1st September. There is a decrease in the run of fish about the middle of May, just before the Grawl come in. There are large fish at all times with the Grawl. There is a little cessation in the run of fish in August, but immense quantities go up after September. The great bulk remain in the estuary till towards the close of September, to avoid the flax water. Nothing has been done to prevent the residuum of the flax from going into the river. He has a return of the quantity of fish taken in the nets under his charge. The return for 1842 and 1843 includes the number caught in both draught and stake nets: there were stake nets above the bridge during these two years, but they have been removed since. The return for 1844 gives only the number caught in the draught nets. The following is correct:—

Draught and Stake Nets.		Draught and Stake Nets.		Draught Nets alone.	
1842.	Salmon.	1843.	Salmon.	1844.	Salmon.
March, April, and May,	79	March, April, and May,	41	April,	30
June,	6,986	June,	2,435	May,	163
July,	24,612	July,	26,345	June,	2,140
August to 1st Sept.,	25,405	August to September, .	18,024	July,	20,471
				To 20th August, .	13,452
	57,082		46,845		36,256

Between 20th August and 1st September, 1842, 5,723 Salmon were taken; and in the same time in 1843, the number caught was 7,818; these were all merchantable fish. In the latter end of March some hundreds of spent fish have been taken in a haul in the draught nets; they were of course returned to the water. There is a great number of bag nets between Magilligan Point and the Bann; and he has seen different bag nets within Magilligan Point. The fish become lazy as the season advances. The fish, of which he has spoken as taken between the 20th August and 1st September, were such as he sends to the English market; the bulk of them was taken where the river is a mile broad; and some of them had a little pea. It would be no injury to the fishery to fish up to the 1st September. The cost of protection on the Foyle, from Derry up, was, this year, £433 13s. 3½d., and this sum will be increased by about £30 more before the watching ceases; this sum merely includes wages, exclusive of law expenses. There is no falling off of price in the latter end of August. All the fish is not exported; whatever portion is required by the persons in the locality is sold to them; they keep a retail shop in Derry, and the Salmon is sold there in pounds and half pounds. A good many of the Foyle fish are from eighteen to twenty pounds weight; he has seen an odd one forty or fifty pounds. The Grawl, at their first coming in, are about four and four and a half pounds weight; but

APPENDIX, No. 11.

The Foyle.

Expenses of fishery

Growth of Fry.

Spawning.

The Dennett.

Obstacles.

Protection.

Angling.

Mesh.

Trout.

Mode of fishing.

Prosecutions.

The law.

Season.

their growth is very rapid; in a week or so they increase to five pounds; he has not seen any of seven or eight pounds weight; he would know a seven pound Grawl from a Salmon. He has not remarked any difference in the tail, except, perhaps, that the young fish are forked. The Grawl are soft in the coat, and when the scales are separated the skin underneath is quite green. He marked the spent fish going down, and out of a great number of those which he marked in one season, two were got returning in July or August. Is not sure of the interval which elapsed between the marking of these two and their being taken again; but twelve or thirteen weeks intervened between the marking of the last and the catching of these. The other expenses attending the fisheries are the law expenses, the salaries of managers, rents of watch-houses, &c. Does not believe that the spawn of Salmon take two years before they become Fry; he has formed that opinion in consequence of some few experiments which he made. He took the pea out of the spawning bed, and it came to life in his possession in eight days. The young fish came to their full form, the bag disappeared altogether, and in a few weeks they became two inches long; and, if they grew to such a length in such a short time, he could not see how they would require so long a time afterwards to become Fry. He was not able to follow up the experiments with these fish, because they died with him. Again, the Grawl, when they first run in, are quite small, and they increase two pounds in one week; how, then, could their previous growth have been so slow? Besides, they get plenty of Fry not more than three inches long, and a great and visible change takes place in their size even while passing down the river; and he cannot reconcile such rapidity of growth with their previous slowness. The spawning has not been earlier this year than the previous years; and this was a very favourable season for spawning: the great bulk of the spawning was not earlier this year. Witness was last week at Omagh, and saw, in the Camown, from ten to twenty Salmon on the scours, and heard from his men that was the third time that these beds had been torn over. In the Dennett, which is three miles from Strabane, the fish do not go up to spawn till December—after they go up the main river. The spawning time in the Faughan is about the same as in the Dennett, but perhaps a little earlier; some fish spawn there in November; the great bulk spawn in these rivers in December and January. As to obstacles, such as shoals, &c., if passes were made over them, it would not make the fish go up or down without floods; a shower of rain or change of weather will regulate their progress to the spawning ground. The fish which go up early make as great exertions to get over obstacles as the late fish; they have the strength and can always get up. There are a great number of our rivers not protected, in which there are good spawning grounds. There is a friendly relation subsisting between him and the gentlemen living along the river and its tributaries; but there is no protective association existing. If the services of the police were general, their assistance would be a very great benefit; but they have many duties to perform, which prevent their aid from being effectual. He had occasion at one time to call upon the police; but the alarm was given to the offending parties, and they escaped before any assistance arrived. The seizure of the fish caught in the Close Season would be a great means of preventing poaching; but it is very hard to discover it. He never interferes with angling during the Open Season. The mesh of the draught net is decidedly too large; their fish do not average more than six and a half or six and three-quarters pounds weight; thinks that a mesh of two inches from knot to knot should be substituted for the present mesh: such a mesh would benefit the fisheries and let all the small fish through. On the 22nd June, 1843, fifty Salmon were taken in the draught nets; nine out of these were meshed, and these nine weighed fifty-eight pounds, and girthed, on an average, from twelve to thirteen inches. A five pound fish will pass through a four-inch mesh; for even that sized mesh expands an inch or more when the fish strike against it. He would not require so small a mesh for the stake as for the draught nets. There is no white Trout caught in the draught net since the introduction of the large mesh, and there is a great quantity of Trout in the river. They used generally make the mesh of their draught nets eight inches round, for two-thirds of the net, and from three to four inches round for the remaining one-third. They used to catch from six to eight tons of white Trout in the season, and perhaps more; but very few are caught now. The Trout used to be the perquisites of the men; and they, of course, now suffer a great loss in consequence of the large sized mesh. The great bulk of the Trout was sold in Derry; and it is, therefore, a great disadvantage to the public that they are not now caught. Low water is their time of fishing, and they stop at low water on Saturday. They fish at night as well as in the day. There have been prosecutions and convictions for undersized meshes. Some of their men were prosecuted at the commencement of the season, in consequence of their using some of the old nets; and there were a number of convictions down the river for undersized meshes. He thinks the seventy-eighth section is defective, as it does not prohibit the "having a spear gaff or other such implement," *during the day*. It would be advantageous to extend the Close Season beyond the 12th February—say to 1st March.

SECOND DAY—LONDONDERRY, FRIDAY, JANUARY 17, 1845.

Flax steeping.

Mr. Daniel's examination resumed.—It is more destructive to have the flax pools separated from the river than actually *in it*, because the noxious water rushes in with greater force. The Burndale is completely poisoned by flax; and it is one of the finest spawning

rivers. He has seen the bed of the river actually black with the flax. The first year he got the management of the fishery, the entire yearly produce was only thirty-nine tons; and the best fishing day did not bring more than thirty fish. He commenced protecting under the lessees; and in three years after the protection commenced, the yearly produce was raised to 100 tons; and the average produce of seven years is now 140 and odd tons. The year 1842 was considerably above that; in that year they frequently caught 400 Salmon in a tide's fishing. The proportion caught in the stake nets was about fifty or sixty out of the 140 tons. The stake nets under the society were put up in 1824; but Sir George Hill had one two years before that; and Lord Donegal's tenants put up theirs in 1833 or 1834. Their average holds good still; but it would be considerably raised if obstructions were removed. They maintain their position as to the take; but it is owing to great vigilance, and to the methods of fishing being now superior. Considers it more beneficial to fish from Culmore up. If all the fishery were his, he would run the chance to wait for the fish at Culmore, and not fish the Lough. The fish get lazy in fine weather, and hang about the tideway; and contrary winds also affect their course; but their ultimate destination is the fresh water, and they would finally come to the river. The bulk of the fish do not go up the Roe till spawning time. The earlier he can get the fish the better; they do not find it beneficial to fish the lower parts till July; the earliest fishery is above Derry, where they begin to fish in March.

Daniel M'Mineman, sworn.—Is proprietor of a fishery, and holds it by lease under the Marquess of Abercorn and the Earl of Erne, who are his joint landlords. It is a draught net fishery. There is a fishery at Castlefinn, belonging to Doctor Rogan; there are boxes there; the carry does not extend across the entire river. There are boxes also at Gilligordan, about two miles above Castlefinn, of which a person named Conolly is the tenant. The boxes are only set in parts of these carries. He does not know of any other boxes on any of the rivers coming into the Foyle. Is not aware that there are any at Ballybofey, about eleven miles above Lifford. There are two other draught net fisheries besides his: one belonging to Mr. Hume, and the other to Mr. Lafferty, tenants at Clady, on the Finn River; these fisheries lie between Clady and Castlefinn. He does not know of any other draught net fisheries. There is no hindrance to any one fishing with rods during the Open Season. There have been no disputes about angling, but it is not a good river for rod fishing. A great deal of fish go up this river, but he is not much acquainted with the upper parts of it. The Marquess of Abercorn owns about five miles of the river, the whole of which he rents; but he has set one part, about a mile in extent, to one of the Marquess's men, who reserve it for angling, and pays him £4 a year for it. The rent of the entire is £74, and his actual rent is therefore £70 a year. The time of his commencing to fish depends upon the weather, but he generally begins in March. The warm weather brings in the fish; sometimes there is no appearance of them till April. He never tried for fish in February. The first that he knows of the fish being in the river is by the anglers getting them, and he never knew of any being caught in February. He has held the fishery off and on since 1812. He was out of it twice since then, but has had it now for the last thirteen years. In 1812 there were no stake nets in the Lough. The fishery was better then; a greater quantity of fish was taken, and they did not pay so much rent. He has no account of the quantity taken at that time. The spents are plenty in March; they catch a great quantity of them in their nets, but they are let go again. Formerly the stopping day was the 8th of September, it was afterwards the 4th, and then, before the late Act, the 1st of that month. July is the best month in this fishery; the heavy fish begin to run up the latter end of it, but the pea and milt are not large in that month. The quantity of fish which goes up in the latter end of August depends on the flax steeping, which generally commences about Lammas floods. The fish will not, if possible, approach the polluted water. The flax water kills every description of fish—Trout, Salmon, and Grawl; he has frequently seen quantities of them, large and small, lying dead. The flax pools are pretty close to the edge of the river, and the water from them is allowed to flow into it. He has seen flax steeped in the river itself. Neither he nor the people generally, were aware that flax water was an excellent manure. He would prosecute parties letting the flax water into the river if he could detect them. The year before last he got only thirty-one boxes of Salmon, each box containing one and a quarter cwt.; but last year was better to him, though not so productive to the Irish Society as the previous one. The productiveness of his fishery depends upon the softness of the weather; a dry season makes the fishery of no value, but a wet one makes it very productive. 1842 was a very good year; he got fish up to the last day in that year. Fished throughout the whole of August, and the produce of the season was 100 boxes of Salmon. 1842 was the best year he ever knew. The quantity caught in former times was much greater than even that taken in 1842. The flax water did not much mischief that year, in consequence of the quantity of water in the river. The Salmon do not come forward till the lint water is carried off, and this is not the case till the occurrence of floods. The Marquess of Abercorn pays some water-bailiffs, but not during the Close Season. Witness does not catch a greater quantity of fish on Monday, after the weekly Close Time, than on any other day. The weekly Close Time has not been obeyed there; but if the Act in this respect were carried into force, it would be a very great benefit. He cannot speak for the Irish Society as to the observance of the weekly Close Time, nor can he tell whether the stake nets observed the weekly Close Time or not, for he did not examine them; but he knows that the water was fished with nets during that time. Is aware that these nets would be forfeited for doing so, but it would be a hard thing to seize them, knowing that such would be the case. He himself did not break the

APPENDIX, No. II.

The Foyle.

Best season.

Fry.

Net across the channel.

Mesh.

late law, since it came into operation. The best Open Season would be, in his opinion, from the latter end of March to the 1st September; if it began sooner, the Kippers and Fry would be killed in great quantities. He knows nothing about the upper part of the river; but he has formed this opinion, being well aware that there must be the same season for all parts. It would be no injury to the fishery to have the season extend to the 1st September in the upper parts, because the fish would not get forward to those places until that time, in consequence of the lint water. The Fry begin to run at the latter end of March; they come down in the greatest quantities in April and May. When they used the inch mesh from knot to knot, they used to catch them in great numbers in those months. Last April twelvemonths, he and a hundred others saw a very remarkable circumstance. From seven to nine Salmon remained for three successive days at Lifford Bridge, conducting down the Fry in shoal after shoal. They would ascend the river, and bring the schools of Fry to the bridge, and having led them so far, they would return, and bring down another batch; the heavy Fry kept the deep water, and the light ones swam in the shallow part. The society's people had a still net stretched across the channel below Strabane, for which he had them fined; it was tied at both ends, and was mostly put across at high water, and about the turn of the tide. Fish were caught in it, and it prevented the Salmon from coming up to him. In every fishing place the Society has, these nets are drawn across, but the men take them away for fear of being fined, when they hear of his coming. He could never get a magistrate to convict for this practice before the late Act. He convicted them for the net at the Island; and then they adopted another plan of fixing the nets, by placing stakes about two feet from the bank, at each side, and fastening the ends of the net to these. The nets were kept in that way from one tide to the other; they were placed both in flood and ebb, and kept up as long as they could stand. There were from five to seven of these nets, and the fishing was carried on both above and below them, when the tide answered. The first of these is across the channel; the river there is very wide, but the channel is all at one side. The next is at the canal; the third at Leggahullen; the fourth at Hallaum; there is another above that, and some at the Holes, for which he had them fined. After the conviction he found similar nets at the other side of the channel, not in the same place. They are always removed on his approach. Is of opinion that the present mesh is too large; it allows all the Trout to escape, and this is a great loss both to the fishermen and the public.

STAKE NET FISHING.

Number of stake nets.

Fishing time.

Comparative produce.

Mesh.

Observance of the law.

Trout.

Former produce.

George Little, sworn.—Is manager of the stake net fishery for the lessees of the Irish Society, and has charge of the Culmore station. There are three stake nets on the Donegal side,—one at the Point; one a little below the Point; the third is the Waterloo net: and there are five on the Derry side opposite. The first of the latter is near the ferry; there is one on the north, and another south of Faughan's Foot. All these nets are fished both on flood and ebb, with the exception of two, which are fished only on ebb. Some of the ebb ones are the best. They catch as many on the ebb as on the flood. Before last year these stake nets extended below low water mark, but they have been since shifted, and all are now placed above low water mark. He has seen them all dry; the chambers were quite dry; the ground, however, is uneven with gulleys, and there may be, consequently, pools of water about them at low water. There are doors in every killing chamber. He set the nets last year on the 15th March; and they generally commenced in March. He had never more than eight stake nets in his charge, and sometimes not so many. He commenced fishing the stake nets once in February, but it is a long time since. They got no good fish last year, in March, but a great many spents, which they let go again. Saw so much as sixty spents in one chamber, but never saw any Fry in the chambers in his entire life. There are two bag nets at Culmore, above the Point, one on the north-west, and the other on the south-west side of the channel. Last year was only a middling year; it was worse than the year before—1843, but 1842 was an extraordinary year. 1829 was even better than 1842; it was a wet and blowing year; blowing weather is favourable to the fishing. The year of the cholera was also very good. He used to fish to the 4th September, and caught very good fish, and in considerable numbers, in the stake nets up to that time. About that time the fish begin to keep the channel, and desert the stake nets. He catches more on the ebb than on the flood at the latter end of the season, because then the fish go up into the channel, and drop down in the shoal water. They get some fish declined in fatness and colour in July. After the 20th August he used to catch large quantities of good fish. He complains of the size of the mesh in the stake nets; a four inch scale, or two from knot to knot, would be much better; it was the size used before the late Act, and would suffice for taking the Trout. He uses no iron rods at the bottom of the stake net chambers. In rough weather the water is muddy at Culmore, but it is otherwise clear. Muddy water and breezy weather are the best for fishing; and a west or south-west wind is most favourable for the stake nets. A head wind against the fish is best. The weekly Close Time has been most strictly observed in all the nets; the gates were always opened, and they are on the land side of the arms. He has got very few, scarcely any, Trout since the late Act. He formerly used to draw £24 for his own share for the Trout taken in the year, but last year he did not get 30s. He speaks of the produce of all the nets under his charge. The Trout formed part of his wages, and it was all sold in Derry. The average weight of the

Trout was about three and a half pounds. They observed the Close Season in the bag nets by taking off the leader, but last year they were taken ashore altogether.

David Henry, sworn.—Has charge of a fishery under the lessees of the Irish Society during the summer, and in winter superintends the water-bailiffs on the river Faughan. The fishery of which he has charge is between Derry and Brookhall. He had four stake nets last year, but formerly used to fish six. He fished one bag net, and used a draught net occasionally last year. He sets the stake nets in March; none of the arms extend beyond low water of spring tides. There are passes in the stake nets; and the weekly Close Time has been most strictly observed. Is six years manager of this fishery. The Trout caught were his perquisite. Before the passing of the Act he used to get £11 worth yearly, besides what he used himself, and gave away in presents; since then he did not get £3 worth. This is owing to the size of the mesh; a four inch mesh would catch the Trout, and not take the very unsizable fish. In the latter end of August the fish are as good as in the early part; some of them, which have lain in the river, have changed colour, but when there is a fresh run, the fish are as good as at any other time. He knows this from experience, as he has frequently boiled them. There are obstructions on the Faughan; there are seven carries in a distance of about six miles. Some fish can pass these falls, but some cannot; passes could be made over them. Very few fish go up the Faughan in June and July; there are good spawning grounds in it; it is merely a spawning river. The fish go up about seven miles from Derry, as far as Clady. There is a carry there, beyond which they cannot go, except in very high water; nor is it necessary that they should, for there is plenty of spawning ground below that place. He has seventeen water bailiffs on the Faughan, and keeps twelve or fourteen constantly; but either number is insufficient for its protection. On Tuesday last, fifty or sixty persons came and threw stones at the water-keepers, and actually took the fish out of the river by force. There is no police station nearer than Derry; two hours would elapse before the force could arrive, and in the meantime all the poachers would have escaped. He does not interfere with angling in the Open Season, nor are they very exact as to rod fishing even up to November.

Mr. John Gregor, sworn.—Is accountant to the lessees of the fishery; has a return made by all the agents. Mr Daniel's account handed in yesterday, is correct. The following return of the number of fish caught in the stake and draught-nets on the Foyle, is taken from the books kept by him, and is correct.

1839.				1840.			
Salmon.				Salmon. Produce.			
Stakes,	March,	.	6	Stakes,	March,	.	1
Draughts,	"	.	—	Draughts,	"	.	1
Stakes,	April,	.	36	Stakes,	April,	.	28
Draughts,	"	.	8	Draughts,	"	.	28
Stakes,	May,	.	217	Stakes,	May,	.	161
Draughts,	"	.	80	Draughts,	"	.	8
Stakes,	June,	.	4,258	Stakes,	June,	.	5,346
Draughts,	"	.	1,582	Draughts,	"	.	2,097
Stakes,	July,	.	11,737	Stakes,	July,	.	16,269
Draughts,	"	.	11,766	Draughts,	"	.	20,319
Stakes,	to 17th August,	.	2,634	Stakes,	to 15th August,	.	2,283
Draughts,	"	.	7,650	Draughts,	"	.	5,270
Stakes,	to 1st September,	.	359	Stakes,	to 1st September,	.	1,043
Draughts,	"	.	2,848	Draughts,	"	.	6,391
Total for 1839,				Total for 1840,			
1841.				1842.			
Salmon.				Salmon.			
Stakes,	March,	.	3	Stakes,	April,	.	20
Draughts,	"	.	2	Draughts,	"	.	26
Stakes,	April,	.	41	Stakes,	May,	.	71
Draughts,	"	.	17	Draughts,	"	.	43
Stakes,	May,	.	109	Stakes,	June,	.	3,724
Draughts,	"	.	46	Draughts,	"	.	2,979
Stakes,	June,	.	2,946	Stakes,	July,	.	17,862
Draughts,	"	.	1,847	Draughts,	"	.	28,243
Stakes,	July,	.	15,234	Stakes,	to 20th August,	.	4,016
Draughts,	"	.	16,341	Draughts,	"	.	20,241
Stakes,	to 21st August,	.	3,043	Stakes,	to 1st September,	.	342
Draughts,	"	.	8,656	Draughts,	"	.	5,719
Stakes,	to 1st September,	.	469				
Draughts,	"	.	3,828				
Total for 1841,				Total for 1842,			

APPENDIX, No. II.

The Foyle.

Modes of fishing.

Trout.

Former supply.

Obstruction

The Faughan

Protection.

Angling.

APPENDIX, No. II.

1843.				1844.			
				Salmon.			
<i>The Foyle.</i>	Stakes,	March,	2	Stakes,	April,	10	
	Draughts,	"	2	Draughts,	"	30	
	Stakes,	April,	26	Stakes,	May,	130	
	Draughts,	"	—	Draughts,	"	147	
	Stakes,	May,	86	Stakes,	June,	3,518	
	Draughts,	"	39	Draughts,	"	2,075	
	Stakes,	June,	1,810	Stakes,	July,	7,044	
	Draughts,	"	670	Draughts,	"	15,516	
	Stakes,	July,	11,876	Stakes, to 20th August,	"	2,243	
	Draughts,	"	26,654	Draughts, " "	"	18,674	
	Stakes, to 19th August,	"	1,597				
	Draughts, " "	"	14,688				
	Stakes, to 1st September,	"	99				
	Draughts, " "	"	4,799				
Total for 1843.			62,348	Total for 1844.			49,387

That is the whole return of the Foyle, from stake, bag, and draught nets. The number of nets has increased since 1835. There has been no official account kept of the white Trout. The expenses for 1844, were as follow :—

	£	s.	d.
Lough Foyle, in consequence of the encroachments of the Donegal party,	423	4	2
Culmore Stake Net Wages,	270	0	0
Rosses Bay,	85	0	0
Draught Net,	450	0	0
Foyle, and the tributaries, Faughan and Roe, Water Keeping,	700	0	0
Roe Fishery, Stake Nets, Wages,	36	0	0
Incidentals, including Travelling, Poor Rates, Spirits to men, &c., &c.,	500	0	0
	£2,464	4	2

Markets.

This sum does not include law expenses, his own and the manager's salaries, the freightage, &c., &c. They sell in Derry and at the fishing stations, whatever quantity of fish is required by the locality at the Irish market price. The remainder is consigned to agents in Liverpool, and by these transmitted to different parts of England. The average price is 6d. or 6½d. per pound. In the ten days which are required for the continuance of the season the price in Liverpool is 5d. or 6d., and in Derry 4d. per pound. The price improved last year at the latter end of the season.

Lord Donegal's fishery.

Modes of fishing.

Observance of the law.

Draught nets.

Alexander Armstrong, produced by Mr. Brown, manager of Lord Donegal's fishery, sworn.—Lives at White Castle, and is a water-bailiff these two last years under the Marquess of Donegal. His duty is to see that the Close Season is observed, and to look after the size of the mesh. Lord Donegal's tenants had, in 1844, thirty-three or thirty-four stake nets in Lough Foyle, and between eight and ten bag nets; some were on the Derry, and some on the Donegal side. The Marquess claims the fishery of the whole lough, and the habit of placing and fishing these nets has prevailed these ten or twelve years. No other parties except the Irish Society and Lord Donegal's tenants put up stake or bag nets. All Innishowen belongs to the Marquess, but he did not own any land on the Derry side. The greatest part of the stake nets extended beyond low water mark before the new Act: this is true both of the chamber and arms. The stake nets were put down from March, and the bag nets at Greencastle at the same time. These stake nets had passages for the observance of the weekly Close Time. The annual Close Season was observed before the late Act, as far as he knows, in both the stake and bag nets; it was observed in the bag nets by raising the arms. Fishing ceased in 1843 on the 20th August. In the stake and bag nets outside Culmore there is very little fish caught in the latter end of August. There are draught nets used at the Cleggan; there are nine of them from Culmore to Greencastle. There is no rent paid for the privilege of fishing the bag nets, for they are generally the property of persons occupying land on the shore. In fishing with the draught nets, they shoot the nets, and wait for the run of fish. There are, besides the nets already mentioned, four drift trammel nets on the lough; the meshes of these are from eight to ten inches; they are fished both on flood and ebb; there are anchors attached to them, and they catch more in stormy than in calm weather. The produce of the draught, stake, bag, and drift nets belonging to the tenants of Lord Donegal is as follows :—

1842.				1844.			
				Salmon.			
June,	-	-	3,982	May,	-	-	12
July,	-	-	13,175	June,	-	-	1,429
August to 20th,	-	-	5,360	July,	-	-	14,338
			22,517	August,	-	-	1,978
							17,757

This return includes all the fish that passed through the man's hands to whom they were sold. There might have been more caught and sold in the neighbourhood, or consumed

by the fishermen and their families. The fish mentioned in this return were all merchantable. As to the price, there is a contract for the entire season, and the contract price varies from $3\frac{1}{2}d.$ to $4\frac{1}{2}d.$ per pound. He has no account of the produce of 1843. There was only one bag net used on the east side of Magilligan; it was successful, but the locality does not suit well. He knows nothing of what is called the "fly net." The fish caught between the 20th August and the 1st September are in a worse condition than those caught before that time. He saw fish from the 10th August up, poor, thin, and whitish inside. The stake nets are not injurious to navigation. He measured those of the Irish Society, and only found one dry at low water: he measured them two days before the full, and change, and two days after. The pouches of the stake nets were filled with stones and gravel, and therefore dry, although not above low water mark. There are between 200 and 300 men employed in the Donegal fishery; they fish up to the 10th August; they purchase twine and poles, and make their own nets; and the fish which they catch is generally sent to Liverpool in ice. All the fish comes through the hands of one person appointed to receive it from the different fisheries. He does not know what quantity of fish is given as a tribute to the Marquess of Donegal, but he has heard that there is a tribute. He was appointed a water-bailiff by the Marquess, and paid by his authority, and in money. At the examination, with the Coast Guards, of the lessees' nets at low water, he found from six to sixteen inches of water at some, and from two to two and a half feet at the others. There are about sixty nets altogether in the Foyle. Did not get the return for 1843. He thinks it would be beneficial to stop on the 20th August, and leave the season as it is. Witness is not aware that the Marquess contributes anything to the protection of the upper waters.

APPENDIX, No. II.

The Foyle.

Price.

Stake nets not according to law.

Season desired.

TRAWLING, DREDGING, AND OYSTER FISHERY.

Mr. M^cCorkell, solicitor, stated that he appeared on behalf of the inhabitants of Derry, and the public generally, to apply for a restriction to trawling in the entire of Lough Foyle. His clients were also desirous of having the Oyster fishery closed, and dredging suspended for two or three years. Such a jubilee was absolutely necessary, as the beds were all but exhausted; and if the practice of dredging were allowed to continue, in a few years there would be no such thing as an Oyster to be found in the lough. The Foyle should be put upon the same footing as the Swilly, as he was prepared to prove that the area of the deep water in the former is not more extensive than in the latter. He then produced the following witness:—

Lough Foyle.

Richard Mulhern, sworn.—Is a fisherman, and lives at Drumskeelin, on the banks of the Foyle. He is well acquainted with the lough. It is better than ten years since trawling commenced in it. He never trawled himself, nor had a trawl boat. The fish were very plenty before the trawling commenced. He had a fishing boat of his own, and used to get from 600 to 5,000 Herrings in a night, and there never was a night that they did not get some. They used to fish for Herrings from July to December. He kept his boat after trawling commenced, but got very few Herrings from that to this; in fact there were none now in the lough from Magilligan Point to Culmore. The greatest take of Herrings that was ever had since, in one night, was 600 in a boat; but the usual quantity is from twenty-five to 100, and sometimes none at all. He thinks that this decrease arises from the trawlers destroying the spawn of the fish. He knows nothing about the quantity of fish taken by the trawlers. He used to get Oysters in great plenty, but now there is hardly such a thing to be had. There are a great number of Oyster beds in the lough, and he is acquainted with their position. He saw the trawl boats passing over these beds. Is acquainted with the construction of the trawl: it is constructed with a beam, net, and rope; the latter is trailed along the ground, and this might break up the spawn, and thus be injurious to the fishery. Ten years ago one boat would take 2,000 Oysters in twelve hours, but now they might fish an entire day and not take 200. They were not confined, in dredging, to any particular time. He saw them take Oysters at all seasons and months. There is a complaint among the fishermen that the Oysters are scarce, and the beds destroyed; and the opinion prevails among them that if the Oysters got some time to rest they would breed again. He himself dredged sometimes; some did and some did not throw back the small Oysters; he never saw any one throw the small Oysters on the beach and leave them there to rot. It is his opinion that the beds are destroyed by trawling and fishing out of season, and that trawling is as injurious as fishing out of season.

Herrings.

Former produce.

Decrease.

Oysters.

Comparative supply.

To Mr. Mulvaney.—There are a good many line fishermen in the Lough; he does not know if the trawlers fish also with lines. He fished with a spilliard, but the trawlers took it away. Before trawling commenced there was many a night on which they only got half a hundred of Herrings; the Herring is an uncertain fish. He frequently saw the rounds of the Herring in the stern sheets of the boats; but never saw Herrings or Herring spawn in a trawl boat. The failure in the Herring fishery was only occasional before the trawling began, but now it is constant. Is not acquainted with any other fishing place, except the Foyle. He lost his lines twice, but did not see the trawlers take them; he had one sent back by the trawlers. They trawl from Culmore to Quigley's Point, and on the Ballykelly side—sometimes in the channel and sometimes in the shoal water. Does not know if the supply of fish in the market is greater or less than before trawling commenced. Does not know if the trawls took any Oysters; he never saw the Oyster spat in the boats; but the rope of the trawl goes along the bottom, and he thinks that must injure the spawn. For the last three or four years the supply of Soles and Flounders is diminished. The Oyster

Herring failure.

APPENDIX, No. II.

Lough Foyle.

beds are between Derry and Quigley's Point; there are very few above low water mark. He does not think there are any artificial beds; nor is he aware of the method of improving the Oyster fishery.

Cross-examined by *Mr. Franks*, on the part of the trawlers.—Witness never was engaged in trawling; he had a boat for thirty years, but never was in a boat while trawling. He has caught 2,000 Oysters in one day; and there were plenty of persons dredging at the same time. There was a Close Season of three months—May, June, and July—observed then; it is not now worth while dredging in these months. He does not know if the number of dredgers has increased within the last ten years.

Trawling.

James Deeny, sworn.—Lives at Drumskillin, and fishes by times; he never was a trawler, nor on board a trawling boat. Does not recollect when trawling commenced; nor know any thing about the form of a trawl. He fishes by lines; this mode of fishing has declined in value since the trawling began. The long lines have been taken away by trawlers; but he never saw them. He saw the trawl boats going over the place where the lines were, and the lines were not to be found afterwards. A dredge might carry them away, but there is no dredging at night. On the occasions when he lost his lines, he spoke to the trawlers, and they denied that they had them. He told them not to go where the lines were; they did go, and the lines were lost. Herrings and all sorts of fish have decreased both in quantity and size since trawling commenced. He dredged for Oysters betimes; but did not now, because there were none to be got; there is a decrease both in them and the fish generally, for the trawlers have spoiled the spawn of Oysters as well as of other fish: the dredgers cannot make wages now. He has been in boats when from 4,000 to 5,000 Oysters were taken in a day; but it is now a very good day's work to take 100 or 150;

General decrease.

Oyster fishery.

Comparative supply.

while some days there are none at all taken. The shallowest depth in which they dredge is six feet; and there are a great many places, where there are Oyster beds, in which trawling is carried on. He has dredged below Quigley's Point, at Redcastle; and the trawlers go over that place: he does not know if the trawlers take up Oysters. Some of the beds on which he used to dredge are now covered with mud; and he attributes this to nothing but trawling. The place he speaks of is opposite Ture Point; what the bag first takes up there is mud. There were Oysters off Ballykelly also; but they have decreased there likewise; there is not, however, so much trawling in that place. There are five or six crews of line fishermen from Londonderry to Quigley's Point. There are more line fishermen now in his place than there were six years ago; and they have no other mode of living except by the produce of their lines. He never followed the Herrings along the coast. The line fishers are not so well paid now as formerly, although the price of fish has not decreased. He catches Cod and Codling, and Flukes, but no Haddock.

Cross-examined by *Mr. Franks*.—There is a general scarcity of Oysters; it is as great where the bottom is clean as where it is dirty. He got, about fifteen years since, 30,000 to 40,000 Herrings in a night, for the course of a week. Does not recollect so bad a Herring fishery formerly as there is now. The spawning ground for Herrings is opposite his place; the water there is still; he judges that it is their spawning place from the fact of the Herrings caught there frequently dropping their spawn when brought into the boat. He keeps his net to the ground. He has sometimes anchored it, but generally drifted for Herrings; he got Herrings from August to September last year.

Trawling.

James Campbell, sworn.—Witness has had charge of a trawler, and has taken a "scrape" up to Moville, but not above it. He saw the Culmore trawlers frequently as far down as Moville, and going over the Oyster beds there; they could not avoid going over them in their passage down. He often lifted Oysters and Oyster spawn in the trawl. The Oyster spawn is a large round white blob. That was the only thing in the way of spawn which he saw taken up in the trawl. It is about eight years since he had charge of this trawl. The Culmore boats generally trawled in the harvest time. The best trawling ground is outside Magilligan Point. The fish are to be had there in greater quantities—ten to one—and better quality, than inside. The inside fish are not considered good enough for the English market. One boat of thirty-five tons used to trawl outside; the other boats are not adapted to deep sea trawling. He saw the Culmore trawlers carrying away lines set by the fishermen, and the latter came to him to see if he could put a stop to it. The fish has certainly fallen off to a great extent, but he cannot say if this is to be attributed to trawling. He fished with a Herring net, and had a smack about eight years since; and used to take from 3,000 to 4,000 Herrings in a night. The Herring fishery was generally very good, but during the last few years there have been hardly any at all caught. He cannot tell the cause of this falling off. He was at Killybegs one season and heard that the Herring fishery failed there also. His boat used to pay him very well. He had the men on wages, for he could not get them to take shares. When speaking of the falling off in the quantity of fish taken at present, he judges from the quantity taken by individuals, not by the aggregate. He heard that Salmon were taken in the trawl net, but only a very odd one. His trawler was thirty-five feet in the beam.

Decrease.

Oysters.

Former abundance.

John Munn, esq., Mayor of Derry, sworn.—Witness is agent to the Steam Packet Company. In the years 1828 and 1829 the quantity of Oysters offered for export was so great that they were obliged to limit themselves to taking twenty or thirty hogsheads a week, each hogshead containing on an average 10,000. In 1832 they got a larger steam-boat, and then they took fifty hogsheads a week. During the winter months there were two boats on the station; the trip was made then twice a week; and the quantity taken amounted to sixty or seventy hogsheads a week; and from 1832 to 1836 it was sometimes so much as 100 hogsheads. In 1836 a decline commenced; the quantity was rather less

in 1837 and 1838; and since then the decline has been so rapid that some weeks there are none at all, and the most any week is from two to four hogsheads. The largest quantities are exported during the Winter and Spring months, but they continue to ship through the Summer months also. He has seen the Oysters frequently in the most improper state, and often remonstrated with the fishermen on the course they were pursuing in taking them. The disregard of the Close Season has been the practice to a great extent since 1832; the men fished, in fact, as long as they could get any Oysters. The value of the Oysters, as shipped at the quay, was about 6*d.* or 8*d.* a hundred; the freight was at first 30*s.* per hogshead, but it came down afterwards to 20*s.* The exports were all to Liverpool. The quantity sold here at present is very limited; the inhabitants do not eat one now for the hundred they did before. Those Oysters, which sold formerly for 6*d.* or 8*d.* a hundred, would now cost 2*s.* 6*d.* or 3*s.* The general price now is from 3*s.* to 4*s.* per hundred. A small portion of the Oysters sold in Derry were from Lough Swilly. He heard, by report, that an artificial bed was formed in the latter place, but there is no such thing in the Foyle. Witness does not think it is generally known that advantage to the fishery can be derived from raising and cultivating artificial beds; the fishermen dredged as long as they could, and on the natural bed. The bulk of the fish are not now so large as formerly, nor are the Flounders so good. The export of Cod is not considerable, but formerly there was a very considerable export of Flat fish. A person came over to Derry to establish a fishery station, but he was obliged to give it up, as the quality of the fish did not answer the English market. The Derry market is fairly supplied with fish, but the large proportion of the fish are small in size.

Mr. Franks called *Edward Young* on the part of the trawlers, who being sworn, deposed as follows.—He both trawls and fishes for Salmon in their season; and has been eight years trawling, and twelve or fourteen Salmon fishing. He trawls from Culmore to Quigley's Point. There are some Oyster beds in that ground; they sometimes pass over them, but they do all they possibly can to avoid them. They wish to avoid them because the shells cut the nets. There are beds over which the trawlers do not pass at all, and the decline in these is the same as in the others. They trawl from June to about 1st January. The finest take of Soles is in July, and they are in the most perfect condition from that month to November. He exports some of his fish to Liverpool, and sells the remainder in Derry. He has accounts which show when the fish are in good condition. His Liverpool correspondent informed him, on the 17th March, that his Flounders and Plaice were then in a bad state; and in December, writing again, he said the Plaice were then in fine condition, but that the May fish were nearly unfit for sale. He catches an odd Oyster in the trawl, but not one hundred in the whole season. He never saw the least appearance of Oyster or Herring spawn in the trawl. They do not trawl so far down as the Oyster beds in June and July, for in these months they generally stop at Crummin Point, just over the Flats. They do not trawl between the great bank and Ballykelly, and seldom at Quigley's Point. He does not remember having caught a Herring in the trawl, though he often trawled when they were catching plenty of Herrings in the bay. He heard of a Herring being caught in a trawl, but he does not think it would occur more than once in a hundred years. Witness caught a Salmon in a trawl; and, on one occasion, he caught a fish of which he could not say whether it was a Herring or a Sprat.

To Mr. Barry.—He was examined in 1843 by Mr. Barry, and remembers that they were all desirous for a Close Season for trawling, from the 1st January to the 1st July. The Flat fish become then in good order, and they think nothing of any other; they catch only a few Codling. They often, among themselves, talked over this proposition about the Close Season since the investigation before Mr. Barry, and they are all still of the same mind. The Herrings come in about Lammas, and the trawlers do not then go into the place resorted to by them. Ballykelly Bay is generally the place for the Herring fishery. He thinks the Oyster fishery is dredged out. The Close Season for that fishery should be enforced, but he saw a good many dredging in the Close Time. Trawling is not injurious to the Oyster fishery; he does not think that the net disturbs the Oyster spawn, nor do they go so far down as the beds in July and August. There are six trawlers at Culmore; they are from five to twelve tons burden, and from twenty-six to thirty-two feet in beam. There are generally three men in each boat. There are not so many trawlers below Culmore as there used to be; this is owing to the price of the fish having failed, but they are as good in quantity and quality as ever. On an average, the fish are much the same in number now as when trawling commenced; and they were better and larger this year than he remembers them for a long time. Some throw the very small fish into the sea, and some do not; the smallest fish he keeps is a half pound weight. The trawlers do not persevere now so much as before, because the price is so bad. He has accidentally caught upon fishing lines, but this would not be the case if they kept buoys attached to them. Between Culmore and Quigley's Point there are twenty boats engaged in the long line fishing. This year there were but two or three trawlers below that; there are about nine or ten altogether in the Lough, but the number before was about fourteen or fifteen. There were but three or four trawlers when trawling was new fangled; the number afterwards increased to fourteen or fifteen, but he is of opinion that these three or four caught as much as the whole do now, because they persevered more. There are as good and as large Soles and Plaice to be got inside as outside. The Flat fish are as large inside as outside. There is more appearance of Turbot outside, but he has not fished much there, because his boat is not calculated for it except in fine weather. There are a great many engaged in Oyster dredging; many poor people live by it. The enforcement of a Close Season in the Oyster fishery would be very beneficial.

APPENDIX, No. II.

Lough Foyle.

Non-observance of the law.

Value of Oysters.

Prices.

Oysters.

Market.

Close Season.

Herrings.

Number of trawlers.

Comparative produce.

Long line fishing.

Number of boats.

APPENDIX, No. II.

Lough Foyle.

Trawling.

Fishing time.

John Cruise, sworn.—Is a fisherman. Has fished with both long line and trawl, and for Salmon. Has been engaged in trawling these eight years, and in Salmon fishing these sixteen years. There are Oyster beds in the river; when trawling he always avoided them as much as possible, and never saw the spawn of either the Oyster or any other fish in the trawl net. He has never fished for Herrings; they do not trawl in the part where the Herring fishery is. The trawling commences about the 1st July, and continues till January. The fish are in best condition from old Hollantide to Christmas, but after that they begin to decline. He caught about two Herrings during his whole time of trawling. Does not think that if the mesh of the trawl net were so small as to hold Herrings that it would catch them. He caught Salmon in his trawl, but not often. Those caught were in prime order, and the circumstance occurred in July and August. He has passed over the Oyster beds; it is impossible to avoid them in deep water, but they can in the shoal. He got an odd Oyster in his mesh, but does not think the trawl disturbs the beds, nor, to his knowledge, does it disturb the lines. During his eight years of trawling he did not catch in two lines. Witness cannot say whether a jubilee would serve the Oysters, because he does not know much about them; but he is quite sure a long Close Season should benefit the Oyster fishery much.

Number of dredges.

Oyster beds.

Non-observance of
Close Time.Cessation from
dredging desirable.Oysters thrown to
rot.Oysters.
Produce.

Prices.

Thomas Smith, sworn.—Lives at Carrowkeel; is an oyster-dredger; occasionally fishes for Herrings, and sometimes for Salmon. He has an acre and a half of land, but has no occupation except that of fishing. There are about forty dredge boats between Derry and Greencastle, and they often come upon new grounds, both in the old and new channel, which, for the time, makes the Oysters plenty. The proper grounds for dredging are pretty well known. He has been eighteen or twenty years dredging. There were as many dredgers when he commenced as now, and the seasons were sometimes good and sometimes bad. Some of the Oysters used to be sent to Liverpool, and some were sold in Derry. The Whitecastle bed was one of the best, but it is now covered with Muscles. The Claddagh bed, right opposite, and beyond the great bank, is a very good bed. There are other beds below that, but he did not work them. He knows that there are Oysters on the Whitecastle bed, because, having taken up the Muscles, he found the Oysters in considerable quantities. No one observed any Close Time until this year, but they will observe it, because they know it will serve the fishery. Only one or two boats violated the pledge made to Mr. Barry, at Moville, to observe the Close Season, and as soon as they were observed, they were prevented from dredging by the others. The Salmon money is good in its time, but the Oyster money is also good when it comes. They would be most willing to have a couple of years' jubilee if they could only get some other mode of living during the time, for they are quite sure it would improve the Oyster fishery. He has dredged opposite Quigley's Point, but that ground is now glutted over with mud. If artificial beds were formed, he is afraid they would be either destroyed by mud, or others would take the fish. He dredged at the south-east side of the Great Bank; and on a storm coming, where there was good fishing the day before, there was nothing but mud the day after. The flow of the mud is both above and below Quigley's Point. Formerly, if they found mud in one place they went to another; the mud always shifted with the storm. Has known small Oysters to be thrown on the shore, and left there to rot; if care had been taken of the Oysters before, they would not be scarce now. He heard of Oysters being taken away from Lough Foyle to stock other places. He would willingly add April and September to the Close Time, by way of experiment, to see if it would improve the fishery.

Mr. George Coghlan, sworn.—Has been a purchaser of Oysters, and commenced purchasing in 1812. Was agent to the lessees of the Irish Society, and resided at Quigley's Point. The largest purchase he ever made was in the Winter of 1815-16, when he paid the sum of £1,311 for Oysters. He knew a boat to dredge 13,000 in a day, and deliver them besides. They worked the beds throughout the entire year, and observed no Close Season whatever. Witness recollects when the Carlingford men came to the Lough, and brought away great quantities of Oysters, to lay them down in their own beds. At the time he paid the £1,311 in the one season, there were more Oysters which he did not purchase, but not so much as what he did. He used to pay 11d. per hundred then for such Oysters as would cost now from 3s. to 4s. Herrings used to be taken formerly over the beds, and all through the Lough. He always thought that the Herrings spawned in the Lough. July and August were the principal months for the Herring fishery; they were heaviest in the latter end of August. He saw Herring Fry swimming through the bay, in great quantities, when the Herrings resorted this place, but did not see any these five or six years. Heard that the Herring fishery had fallen off, all round the coast. It is the opinion of all, along the shore, that the trawling has been the cause of this decline. He never purchased Oysters out of season but once, and then they were put into large ponds. Witness has given up purchasing Oysters, because of their scarcity.

No. 1.—Instructions to the Water-Bailiffs of the Irish Society.

No. 1.—Instructions
to the Water-bailiffs
of the Irish Society.

To Messrs. Goble, Campbell, Martin, and Little, Water-bailiffs, appointed by the Honourable the Irish Society and their Lessees, under the 5th and 6th Victoria, cap. 106, to protect the Fishery of the Water, Bay, Creek, and River of Lough Foyle, from the High Sea to the town of Lifford.

1st. Until you shall receive further instructions, you are desired to confine your operations to that part of the district for which you are appointed, which is between the high sea and Culmore Fort.

2nd. You are at all times, and upon all occasions, to carry with you this Code of Instructions,

together with a copy of the statute under which you are to act; you are to make yourself well acquainted, by their perusal, with the various powers and duties you have to execute.

3rd. In interpreting the provisions of the Act, you will bear in mind that the Irish Society are the owners in fee, and the lessees are tenants of the soil and bed of the river within the limits of your district; and that they are lawfully entitled to a several fishery, and to the sole and exclusive right of property in the Salmon taken therein. The Irish Society are ready and willing to prove their title in any of the superior courts of law, if it shall be the pleasure of any person to bring his action, and who is in a situation to be responsible for the consequences of a verdict; and you are desired to make this known to any person who may pretend to set up any right of fishing in the Foyle against the Society's title. The Irish Society, and the lessees, in appointing you water-bailiffs, exercise the authority given to them by the Act of Parliament as proprietors of the fishery. In doing this, they are acting in strict conformity with the opinion of the Attorney-general for Ireland, as well as of the Recorder of London, and the standing counsel of the Society; you are therefore to regard it as your acknowledged duty to defend the rights of the Society and the lessees in the fishery, and to protect their property in the fish. The Society and the lessees will defend you in the lawful discharge of this duty; and you are authorised, in case of need, to apply to the agents of the Society and the lessees, and to Mr. McCorkill and Mr. Crawford, their solicitors, at Derry, for their advice and assistance.

4th. Your appointment as water-bailiff is required by the Act to be approved by the magistrates in session; in acting, therefore, under the appointment of the owners of a several fishery, you will not forget that you are also clothed by the law with certain functions as public officers, which you must execute without fear or favour, and with becoming vigour, firmness, and impartiality.

5th. You are authorized by the Act, and you are hereby instructed, to execute any bye-laws which may be made by the Commissioners under the Act, and any warrants which may be issued by any justice or justices in conformity with its provisions. You are to show towards the Commissioners and justices the courtesy and respect which is due to them as the ministers of the law; and you will act in the fullest confidence that they will, in case of need, afford you due protection in carrying out the objects of the Act, and in maintaining peace and order while you are engaged in enforcing the observance of its various provisions.

6th. You will be careful to execute the very great powers vested in you by the Act, as water-bailiffs, with temper and discretion, as well as vigour and firmness, recollecting, that as the Act of Parliament is of recent date, and the powers and duties of water-bailiffs may not be well understood by the class of persons to whom they principally apply, as much moderation and forbearance should be practised, particularly at the commencement of its operation, as is consistent with your first duty as water-bailiffs, effectually to suppress the illegal practices which it is the object of the Act to put down.

7th. You will perceive, by the 84th section of the Act, you are empowered to enter all boats engaged in fishing, and to enter into, and pass over the banks or borders of the waters within the limits of your appointment (provided that you do not, without having first obtained a warrant for that purpose from a justice, enter any dwelling-house, or the curtilage thereof, or any enclosed garden), for the purpose of examining and seizing any illegal nets, or any legal nets illegally used.

8th. You are to seize all illegal nets, engines, or devices whatsoever, which you may find within the limits of your district, and all and every other nets, engines, and instruments whatsoever (though not illegal) when used illegally. (See section 84.)

9th. You are directed to pay the strictest attention to the description of illegal nets, as defined by the Act. (Here the 20th section is recited.)

You are to seize all nets and engines which you may find answering the description given in the 20th section; and, as the Irish Society and their lessees do not claim to be proprietors of the whole of the fishery of the river, including its tributary streams flowing into the lough, they do not come within the exception in this section of the Act; you will therefore show the strictest impartiality, by seizing the nets and engines of the lessees, as well as of all other persons, if they be found constructed otherwise than as this section requires.

10th. You are to seize, under the authority of the 84th section of the Act, all nets, engines, and instruments whatsoever, used in fishing within the limits of your authority in either of the following modes, as being nets, engines, and instruments illegally used:—

All and every stake weirs (if fished with a fixed net), stake nets, with any leader, outrigger, or other work of any kind or description connected therewith or adjacent thereto, placed or suffered to remain in such manner that the same shall extend to a greater distance than from high water to low water mark of spring tides (meaning the spring tides equidistant between the vernal and the mid-summer spring tides), and also all nets made use of in the formation and construction of the said stake weirs or stake nets, and of the leaders of all bag or other fixed nets, if they be not extended evenly, in such a manner that the meshes of the said nets shall be stretched to their full opening; and also, if such bag nets be not so placed and erected as that the netting of the leaders thereof cannot be raised and kept out of water; and also if such stake weirs, stake nets, and other fixed nets, be not so placed and erected as that clear openings of at least four feet in width may be made in the pouches, traps, chambers, and eyes of the same, from the bottom to the top thereof; and all such nets are to be seized if such openings be not left therein between the low water next in point of time before six o'clock on the Saturday night and the low water next in point of time before six o'clock on Monday morning, and if such openings be not kept during the whole of that time open and free from obstruction, so as effectually to allow of the free passage of Salmon and other fish through them during such weekly Close Time. You are also to seize every such fixed net, if the leader thereof be not, during the whole of such weekly Close Time, kept out of water.

You are likewise to seize, as illegally used, any nets, engines, and devices that may be used within the limits of your authority, in taking or injuring any spawn, smelts, or Fry of Salmon, Trout, or Eels, or in obstructing the passage of smelts or Fry.

You are likewise to seize, as illegally used, any nets, engines, or devices that may be used in the taking or destruction of fish, within the limits of your authority, during any part of the time defined in the Act as a Close Season, or any part of the time which may hereafter be fixed by the Commissioners as a Close Season. For a statement of the particular period now prescribed as the Close Season, you will refer to the Act, and particularly to the 29th, 30th, the 32nd, the 36th, and 37th sections. N.B.—As no exception is made in favour of any persons in the sections of the Act which declare it

APPENDIX, No. II.

Lough Foyle.

No. 1.—Instructions to the Water-bailiffs of the Irish Society.

APPENDIX, No. II.

*Lough Foyle.*No. 1.—Instructions
to the Water-bailiffs
of the Irish Society.

illegal to use any nets, engines, or devices in the manner or at the time specified in this 10th article of Instructions, you are to seize all nets so illegally used, without respect of persons. You are likewise to seize, as nets illegally used, any stake weirs, ebb and flood weirs, stake nets, bag nets, fixed nets, or other contrivance for placing or erecting a net, within the limits of your jurisdiction, except any such stake nets, &c. which may be erected or placed within the limits of your jurisdiction by the Irish Society or their lessees, as the owners of the soil and bed of the river and lough, and as the persons entitled to a several fishery therein; provided, however, that such stake nets, &c. of the Society and their lessees be of the size, sort, and description, and be placed in the form and manner prescribed by the Act as herein before is mentioned.

11th. You are to retain in your possession all nets, &c. seized, whether as illegal nets, &c. or as nets, &c. illegally used, until the next sitting of the petty sessions court, or any adjournment thereof, when you are to proceed in the manner prescribed in the 103rd section of the Act. You are likewise to communicate to Mr. M'Corkill and Mr. Crawford any violation of the provisions of the Act which may come to your knowledge, and to act under their instructions as to the lodging of informations and instituting prosecutions under the Act.

12th. You are to require that every boat shall have the name of the owner, with his place of residence painted thereon, in clear legible characters or letters of not less than two inches in length upon some conspicuous place, as prescribed in the 81st section.

13th. You are to take before a Justice of the Peace any person found fishing illegally who refuses to desist from such illegal fishing, or to tell his Christian or surname, and place of abode, so as that you carry him before the Justice within twelve hours after you seize him, that he may be dealt with according to the 87th section of the Act.

14th. If you find three or more persons assembled for the purpose of obstructing persons lawfully fishing, you are to apprehend them, and carry them before a Justice of the Peace, to be punished under the 88th section of the said Act.

Signed by the Solicitor to the Corporation of London and the Honourable
the Irish Society, and by the Solicitor for the Lessees.

No. 2.—Water-keeper's Oath and Appointment.

OATH.

No. 2.—Water-
keeper's Oath and
Appointment.

of in the parish of and county of came this day before me, and maketh oath on the Holy Evangelists, that so long as he is employed as a water-keeper by the Trustees of the River Bann and Lough Foyle Fisheries, he will use his best and utmost endeavours and exertions, by night as well as by day, for the preservation of Salmon, Salmon Fry, and Trout in the river , and the waters running thereto and therefrom. And by every means, as far as in his power lies, to detect the names, residences, and address of all and every person or persons engaged in fishing with rods, nets, gaffs, lights, spears, or any other instrument, engine, or snare, used for killing Salmon or Salmon Fry, or Trout, at the season of the year prohibited by law, or who are found carrying, on the banks of any river or lough, any of the said fishing apparatus. And that all persons so detected by him, he will give information against, within one month following, either verbally or in writing, to the said Trustees, (or to the persons employed by them for taking such report,) and prove the same on oath before a magistrate when required by them so to do. And that he will, when called upon by any other water-keeper or person in employment of said Trustees, go with and assist them in their duty when and where he may be required. And that he will not mitigate, reduce, or compromise any fine struck against, or levied off any person convicted of fishing in said waters unlawfully.

Sworn before me, &c. &c.

APPOINTMENT.

By virtue of authority granted to me by Sir George Duckett, bart., and Alexander Henderson, esq., M.D., of London, Trustees of the River Bann and Foyle Fisheries, I do hereby nominate and appoint of in the parish of and county of a water-keeper, for the preservation of Salmon, Salmon Fry, and Trout in the river and all rivers and rivulets running thereto and therefrom, mill streams, mill dams, and back falls at all corn mills, flax mills, and bleaching machines, for and during the space of one year from the date hereof, provided he behaves himself with propriety, does his duty with strict care and attention; and in case of any neglect, it is hereby fully understood and agreed to by the said that he will forfeit all wages, and this appointment shall cease and be utterly void.

Given under my hand this day of

Manager of Trust Fisheries.

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at COLERAINE,
on WEDNESDAY the 22nd, and THURSDAY the 23rd JANUARY, 1845.

SUBJECT OF INQUIRY.—THE RIVERS BANN AND BLACKWATER, BUSH, GLENSHESK, AND ALL THEIR TRIBUTARIES, THE FISHERIES OF LOUGH NEAGH, CARRICKAREDE OR BALLINTOY, AND BALLYCASTLE, AND OF THE ENTIRE COAST AND ALL THE RIVERS TERMINATING THEREON, BETWEEN FAIR HEAD, COUNTY ANTRIM, AND MAGILLIGAN POINT, COUNTY LONDONDERRY.

TOR HEAD AND BALLYCASTLE FISHERIES.

Tor Head and Bally-
castle Fishery.

John Rennie, sworn.—Has had a fishery at Tor Head for the last ten years. Came over to this country with Hector about twelve years ago; and fished with him at Ballycastle.

Has two bag nets at Tor Point; has a lease from the Earl of Antrim, who owns the land from which he fishes, and pays an annual rent of £38. He used to commence fishing on the 1st January, but did not begin last year till the 12th February; it was the first time he commenced so late. Catches the fish coming from the southward; and has only one wing to his net. the run of fish in January is very poor; but the fish are very good in size and quality. Does not catch more than twelve or fourteen spent fish in an entire season. He cannot distinguish between the fish of the Bann and those of the Bush, and never caught any marked fish. Has a return of the quantity of fish caught by him for three years at Tor Head; the following account was kept by himself, and is quite correct:—

APPENDIX, No. II.

Tor Head and Ballycastle Fishery.

Rent.

Time of fishing.

Produce.

	1842.			1843.			1844.	
	Salmon.	lbs.		Salmon.	lbs.		Salmon.	lbs.
January,	7	71	.	19	176	.	—	—
February,	23	220	.	40	362	.	23	145
March,	31	219	.	48	457	.	53	454
April,	40	399	.	48	471	.	57	590
May,	46	501	.	65*	703*	.	85	1,008
June,	414	2,580	.	317	1,600	.	535	3,580
July,	785	5,188	.	652	4,847	.	1,200	8,098
August,	316	2,614	.	363	2,958	.	215	1,514
September,	163	924	.	148	1,379	.	—	—
	1,825	12,716		1,700	12,953		2,168	15,389

There are two men and himself in the boat in the first part of the season, and four altogether when the Grawl come in; they fish three or four times each day, and more on the flood than on the ebb. In the account handed in, the Grawl are not separated from the Salmon; and all the fish stated are prime fish; the spents are always returned to the water. He lost three bag nets within his time of fishing in this country; and the cost of a bag net is about £17; this sum covers the expense of ropes and twine, but does not include the cost of the anchor. The leader of his net is nine fathoms in depth, and goes down to the bottom; when the leader does not reach the bottom, the net does not fish so effectually. He had one leader twenty-seven fathoms long, and another forty, but the short leader is the surest. Is of opinion that the season should commence the 1st February, and extend to the 1st September; by fishing up to that time the river would not be interfered with; while considerable profit would be derived from the sea fishery. The fish he catches between the 12th August and the 1st September are in good condition, and have no appearance of being about to spawn. Has fished at Ballycastle for the last two years, but cannot say much about the river there. Has taken the fishery lately under the Court of Chancery. Mr. Miller, the agent, fished it for two years off the Port Mouth. The fish caught there are all going to the westward; there is a counter tide there—six hours, flood and six hours, ebb. He knows nothing of the spawning in the Ballycastle river. Fished it for Hector in 1832 and 1833, and the river was protected at that time. The run of Grawl commences about the 20th June, there may be an odd one about the 14th May, but the general run commences about the 20th June, and July is the plentiest month. The fish caught in January are not large sized. They are about eight pounds weight; and, in his opinion, were never up the river to spawn, but are the Fry of the previous year, and that is the first time they make the attempt to go up the river. Last season was better than any of the previous ones for a long time. June, July, and August are very good months for Grawl, but bad in the small rivers. The fishery is on the increase. He catches most when the wind is south-east and blowing in on shore. There is no bag net between Fair Head and Tor Point; the fish generally come with the tide. The water off Tor Head is clear and quite deep, but the bottom is rocky. March is the latest time he caught spent fish in his nets. In his fishing at Ballycastle with Hector, the produce of the entire season of 1832 was thirty-six barrels of Salmon, each containing four hundred weight; the next season they took forty barrels. This was the produce in both cases of three bag nets. They cured a great deal of this fish, and sent it to the London market. Sends almost all his fish to Liverpool; very little is sold in the country, as there are very few of the inhabitants requiring it. The three bag nets were placed in the following manner: one was off the pier, the second was fished from a rock about 100 feet from the pier, and the third at Tor Point. He never contributed towards the protection of the Ballycastle river; proposed to do so, but it was not accepted; is perfectly convinced that if the river were protected his fishery would be benefited. Since he got possession of the Ballycastle fisheries he has put five water-bailiffs on the river. The Tor Water, the Carey, and the Glenshesk are the tributaries to the Ballycastle river, but he is entirely unacquainted with the spawning in these or in the main river. At Tor Head there is a very strong tide, and they are consequently obliged to use a fine description of twine in their nets. The present mesh is very injurious to the fisheries; the fish mesh very much in the nets, and the men are detained half an hour in taking them out, and when taken out they are greatly damaged. Was in the habit of using a mesh of two inches from knot to knot; he is anxious for a diminution of the size of the mesh in the bosom of the net only, as he does not care about the leader. Did not lift the leader of his bag nets in the Close Time before the last six months. If the day were rough he could not set the nets, but he could certainly open them at a time when it would be impossible to set them. Pays £65 a year for the Ballycastle fishery, and

Bag nets.

Season.

Grawl.

Produce.

Markets.

Protection.

Tributaries.

Mesh.

Observance of the

law.

Rent.

* The register of this month being mislaid, it was taken at an average between 1842 and 1844.

APPENDIX, No. II.
For Head and Bally-
castle Fishery.

Glenshesk river.

Spawning.

Migration.

Produce.

Decrease in supply.

Rent.

Convictions for
 illegal fishing.

Productive months.

Spents.

Season.

Mesh.

Season.

Modes of fishing.

Carrickarede.

took it under the conviction that he could fish from the pier. Has fished with the bag net ever since 1832: it is a very effectual means of taking fish if attended to; but some people take it in hands who are not fit for it. There is a great quantity of fish caught now which would not be taken were it not for the bag net.

Alexander Simpson, sworn.—Has been a water-bailiff on the Glenshesk these two years; was a watchman for Hector ten or eleven years ago, and has lived on the banks of the river since he was born. He frequently killed fish on the spawning beds. The first time he observes the good wholesome fish going up the Glenshesk is about Lammas, and the greatest run of breeding fish is from November to February. The Salmon commenced to rood about three weeks ago; the great weight rood about Christmas, and the last time for rooding is the beginning of February: he saw them busy at it then. The rooding begins in his part of the river as soon as above. The Fry go down in April and May. The fish which spawn in November go down before Christmas; the spents, in fact, return to the sea shortly after spawning, and the time of going down depends therefore on the time of spawning. There are three water-bailiffs on this river. A great number of boys fish in the Glenshesk with bait, and some with rod and fly, from May to November; they are generally stopped between Lammas and November. The fish would escape far better if they remained in the lower part of the river.

Alexander Miller, esq., sworn.—Is receiver under the Court of Chancery to the Boyd estate, and fished for the last two years at the mouth of the Ballycastle river, with two bag nets. Has an account of the produce of the fishery; some of the fish was sold in the neighbourhood, but the principal sales were made in Liverpool. £135 was the gross sum received for the produce of 1843, and £92 or £95 for that of last year. He attributes this decrease partly to the prevalence of north-east winds at the commencement of the season, and partly to the fact of the "Robert Napier" steam vessel having been burnt in the fishing ground. He was not present at the meeting at Ballycastle, from which a memorial was forwarded to the Inspectors of Fisheries; but the opinions contained in that memorial are the opinions of practical men, who have been engaged in fishing for a great number of years.* Hector paid £130 a year for three years for this fishery, as the Boyd family had it for a number of years, and the agreement was, that he should pay £140 a year in future, when his difficulties obliged him to give it up. There were no rights reserved up the river, as he did not think they had any; the fishery extended only to such rights as the Boyd family thought they had, from the prescription of 150 years.* There are two bag nets between Ballycastle and Kinbane, and one at Kinbane; the latter is occupied by fishing under the Court of Chancery. It has been fished for a great number of years; £30 a year rent was paid for it, until lately, but now they get so much as £80 a year.

John Kelly, sworn.—Lives at Ballycastle; has been a Salmon fisherman, and fished off the pier at Ballycastle, and also off Cragnascarf and the Pans rock. Commenced to fish in 1837, and continued to fish for five years in succession. Did not fish the year before last, and only for a few days last year. Had two bag and one draught nets. Paid no rent for the fishery; but whatever protection existed during the time he was fishing, was extended by him. He had the water-bailiff who was last examined brought before a magistrate for poaching. He had some persons convicted and fined for illegal fishing. Used to commence fishing in March, and fished whiles in February and May. April and May were the worst months in the year. He would kill a greater weight of fish in February than in both these months together. March is rather better than April. Has no account of the quantity of fish taken by him; it was all sold in the neighbourhood. February was the best of the early months, while July and August were the best for the grawls. Fished out the whole month of August, and up to October. The last season he fished, he caught, in the latter end of August, a great quantity of fish in the net set to the northward; these fish were not coming to the river, and were as good as those caught in July. Caught spents in February and March; the greatest quantity in March, and some few in April. Would stop fishing on the 12th August, if the river were well protected; but if not, he might as well fish on. Was in the habit of using the four-inch mesh before the late Act, and is convinced that one of a larger size is injurious to the fishery, because it strangles the fish; and a strangled fish, independent of the external injury, will not keep half the time that another fish will. Is of opinion that the 20th March would be the best time to commence fishing; and is led to this opinion in consequence of the number of spents which are taken before that time, and also the uncertainty of the run of good fish. Caught both the Bann and the Bush fish; he cannot distinguish between them himself, but there are other fishermen who say they can. When the Ballycastle river was fished with draught nets, before Hector's time, two nets were drawn by day, and two by night; six men fished on shares, and these fishermen were also water-bailiffs. The Boyd family furnished gear and materials, and each man sold his share of the fish, which brought £20, or more, according to the season; the agent to the estate got the largest portion, and the price of Salmon at that time was from 2d. to 4d. per pound. There were no bag nets then; one net only was fished off the pier head, and some of the fish taken was cured, and sent to Buenos Ayres. Witness is a saddler by trade, but conceives that he understands the method of taking fish better than a great many who are constantly engaged in fishing.

Mr. Hugh Dickson, sworn.—Lives at Ballintoy demesne, and is manager of the sea coast fisheries at Carrickarede. Mr. Fullerton is the landlord of the estate. Carrickarede is a long established fishery, and is fished on shares. Mr. Fullerton pays all the expenses of the

* See page 136.

fishery, and gets two-thirds of the produce; the fishermen get the remaining one-third for their trouble. Witness manages the fishery for Mr. Fullerton. Has kept an account of the fish caught last year and the year before, particularly of their weight and sales, but has only brought with him the amount of one year's take. Has fished with draught nets previous to the introduction of the bag net; but tried the bag net a few years after Hector brought them to Ballycastle, and has used them ever since. Fished but one net last year; tried other places but did not succeed. Before the passing of the late Fishery Act he used generally commence fishing about the 21st or 22nd March; the coast there was very barren, and very much exposed, and the time of ceasing depended upon the state of the weather. Sometimes fished as late as the latter end of September, rarely in October, and never in November. Has been connected with the Carrickarede fishery these twenty-six years. They never used to set the net till March, but since the late Act they commenced on the 12th February—not earlier—and ended on the 20th August. The net was put out of fishing order during the weekly Close Time last year. The following return of the fish caught in 1844 is correct:—

APPENDIX, No. II.

Carrickarede Fishery.

Time of fishing
before the late Act.

Produce.

1844.

	Salmon.	lbs.
March (first fish sold 27th),	7	70
April,	20	188
May,	85	895
June,	421	2,748
July,	1,753	12,645
August to 20th,	319	2,393
Total,	2,605	18,939

Last year was greatly above an average year; it was nearly the best fishing year he ever had. He cannot tell the average produce, but this is greatly above it. Has succeeded materially better with the bag than with the draught nets; the materials, however, cost more; they are liable to be lost, and, in consequence of their being so heavy, they sometimes require a great number of hands to work them. Before the late Act, the fishing never stopped till the 4th of September—the old fair day of Ballintoy—and he is of opinion that that would be the proper time for the season to close. The fishery of Carrickarede varies very much, but still it is now coming more to an average. Mr. Fullerton did not contribute anything towards protection. Their impression is, that they can distinguish the fish of the Bann from those of the Bush, and they catch the fish of both rivers. If the supply depended on the Bush, it would be very deficient; if on the Bann, it would be better. Stormy weather is the best for fishing, provided it is not too rough; a west or north-west wind is the most favourable; all the fish are caught going to the westward; they can be observed from the cliffs, and all the nets are set to catch them coming from the east. There is one bag net between Carrickarede and Ballintoy; it is on the Fullerton estate, and belongs to a fisherman who pays rent for it. There are no draught or seine nets hauled out before him in the deep sea. There is another bag net at Larrybahon, two at Portbradden, two at Dunseavrick, one below that—but not now used—and three at Portmoon. There are none then until you come to Blackrock, that he knows of. The bag net is, he considers, the most suitable mode of fishing. Seals and porpoises follow the fish and drive them in shore, but not so much now as formerly. Portbradden is as good a fishery as Carrickarede. The mesh now in use is ruinous and destructive to the Salmon; was in the habit of using a four inch mesh before the late Act. Sometimes they catch White Trout—one or two in the course of a week—in the bag of the net; they catch Mullet sometimes, but never except in stormy weather. Had no further information that he could think of to communicate. He would take the liberty of alluding to the impossibility of strictly adhering to the weekly Close Time, from the dangerous state of the weather at times, and the very boisterous sea at their fishing ground.

Bag nets.

Season.

State of weather.

Number of bag nets.

Mesh.

Close Time.

PORTBRADDEN FISHERY.

Archy M'Coy, sworn.—Lives at Portbradden, and has had a fishery there for the last sixteen years. Fished four years with the draught, and the last twelve years with the bag net. Fished with two bag nets last year. Before the late Act the regular day for beginning to fish was the 13th January, and they continued till the 4th September. This was the practice until the last two seasons. Pays rent for his fishery: to Mr. Moffatt of Liverpool £55, and to Mr. Leslie £22 per annum. It is a chartered fishery; those who fished there before paid rent also, and this has been the case for these 100 years. Has no lease of his fishery, and the gross produce of it is about £200 a year. The best month is July: catches the greatest number of fish in that month. Before the late Act, the latter end of January was the best fishing time; February was also good, but inferior to January. The time of stopping generally depended on the weather. Is of opinion that the most suitable time to commence fishing would be the 1st February, and that the season should continue till the 14th September. There are two bag nets west of him, but he has nothing to do with them. Was not at the Ballycastle meeting.

Portbradden Fishery.

Former season.

Rent.

Produce.

Best fishing time.

Season desired.

William Rogers, sworn.—Lives at Corrisharkin, near Dunseavrick, and has been fishing for Salmon with bag nets these seven years. Has two bag nets from John M'Neill's land of Ballycastle, and one from Mr. Ray's estate. Pays Mr. Ray £5 a year. Began to fish last year the 8th May; never fished before April formerly, but continued as long as he got

Rent.

R

APPENDIX, No. II.

Portbradden Fishery.Produce.
Mesh.

Protection.

any fish. Does not recollect ever fishing later than the 1st September. Got three or four tons of fish last year between the three bag nets; it was the best season he had since he commenced fishing. Others fished there before him, but he cannot tell for what length of time. Had only one bag net till last year; it was on M'Neill's land; and its produce was about £100 in the season, but sometimes not so much. The wide mesh has caused the price of fish to be lowered in the Liverpool market; he sells his fish to Mr. Moffatt in Liverpool, who takes off $\frac{3}{4}d.$ per pound in consequence of the fish being badly scaled. Heard other owners of fisheries say the same thing. Was in the habit of using a four-inch mesh previous to the Act. Never paid any thing for protection. Mr. Neill, his landlord, gets a share of the fish, and would do any thing in the way of protection if applied to. Does not want to fish till the 1st September; it is worth while to fish the last fortnight of August; but the fish are not so good then as previously.

PORTMOON FISHERY.

Portmoon Fishery.

Rent.

Produce.

Produce.

Price.

Protection.

Allan Miller, sworn.—Holds the Portmoon fishery from Mr. Hugh Andrews, the proprietor of the land; and pays him rent, partly in money and partly in fish, to the amount of about £15 a year. There were three bag nets last year at Portmoon; the third net was put out by Mr. Andrews, and catches from the eastward only. They never began to fish there till the latter end of May; and they generally ceased on the 1st September. The take between the 20th August and the 1st September was sometimes very trifling. There were about five tons of fish taken in two of the nets last year; and fifteen hundred weight in the third. The latter did not pay the expenses. The year before last there were not two and a half tons taken in the same two nets which caught the five tons last year. Exports his fish by the steamers. The leader of the net lasts two years, but the head becomes useless after one. Uses nothing to preserve his nets. The average produce of his nine years' fishing with the bag nets was between three and four tons a season. Sells very little of the fish at home, and gets about £37 10s. per ton. The fishermen get one-fourth of the produce without any wages. Proposes to assist in the protection of the river; and is firmly convinced that by such a course he is doing but what is right, and calculated to benefit his fishery. In his case it is impossible to observe the weekly Close Time in rough weather; and if the nets were not removed on Saturday, there would be an unwillingness on the part of the men to remove them on Sunday, in case of the weather becoming calm.

THE BUSH.

The Bush.

Bag nets.

Former fishing time.

Migration.

Obstructions.

Spawning.

James Scally, sworn.—Lives at Portballintrac, and has been manager of the Bush fishery since 1822. Was connected with it a long time before, in consequence of his father having held the situation which he now fills. Has the management of the protection of the river. There are bag nets employed in this fishery, but never more than three. One was set at Stookin, west of the Causeway; during his father's time that place was fished with draught nets. There was no bag net eastward of that rock. There was a bag net set off the Causeway last year, belonging to the Messrs. Fall and Given; but it was in no way connected with the Bush fishery. Mr. Given first commenced to fish off his own land; he then changed his ground, but the quantity caught in that net was trifling. The next bag net, westward, was off Blackrock; and there were none between that and the Bushfoot. Had one bag and a draught net outside the Bushfoot, west of Waterfoot. Tried a bag net this season between the Bush and Dunluce Castle for several days, but was not very successful. Had three bag and one draught nets last season; but all were not set at the same time. The bag nets were not set till the weather was settled—in April; but the draught net was fished before that. There were two bag nets usually employed before the last year—one at Blackrock and one at Bushfoot. Has not separated the quantity taken in the draught and bag nets. Used to begin fishing with the draught net, outside the cutts, about the 1st January, if the weather permitted. He did not set the inscales of the cutts until he saw the fish coming in; the breast of the cutts was dropped down before Christmas. He often killed a new fish in the cutts the day before Christmas. He used to leave an opening at each side of the cutts; and then the spawning fish had their chance of getting up. The spent fish go down first in February; and he has caught them in that month, made-up fish. The great downward run of spents is in March and April; and they are all out of the river in the latter end of May. The Fry go down in March; the great bulk between that and the 1st May; if there be floods in April, there are no Fry in the river in May; but if April be dry, quantities of Fry are going down in May. Some few Grawls come into the river about the middle of June; they are small sized up to the 20th of that month; and the great run of them is from that time to the latter end of July. The mill carries are great obstructions to the descent of spents and Fry. The first carry is at Gwynne's mill; if the water be any way high the fish can get over that. They occasionally open the gates and let the Fry and spents pass; they stop working there on Saturday night. The fish are also obstructed by waterfalls, over which they cannot pass, except in the beginning and latter end of floods. The Spring fish are good fish; but he cannot tell whether they had been in the river before. Often marked spent fish going down, and caught them returning in six or eight weeks after, recruited fish. Frequently marked Fry, but never caught any of them again; nor did he ever hear of their being caught on the coast. Knows the spawning grounds of the Bush; there are some fish spawning in the lower part of the river at present. There are good spawning grounds at Dervock; the fish spawn there from the latter end of November to the 25th December. The spawning takes place later in the Dervock than in the Bush.

The bulk of the fish spawn in the Bush between November and Christmas. The fish are spawning at present in that river, but not in any great numbers. Fish have been found spawning there in February. He saw one fish in February, in the lower part of the river, that had not spawned. The following return of the quantity of fish caught in the cutts on the river Bush, and in the bag and draught nets in the sea and tideway, for the last four years, is correct:—

APPENDIX, No. II.

The Bush.

Produce.

1841.	Salmon.	lbs.
February, (cutts) .	68	613
March, do. .	131	1,125
April, do. .	185	1,673
May, do. .	107	954
June, do. .	444	2,480
June, (sea) .	218	1,267
July, (cutts) .	598	3,329
July, (sea) .	248	2,377
August,* (sea and cutts)	123	966

2,122 14,784

1842.	Salmon.	lbs.
February, (cutts) .	17	147
March, do. .	30	258
April, do. .	51	427
May, do. .	108	886
May, (sea) .	22	197
June, (cutts) .	2,483	13,647
June, (sea) .	1,187	6,875
July, (cutts) .	1,357	8,872
July, (sea) .	587	3,716
August, (cutts and sea)	85	598

5,927 35,623

1843.	Salmon.	lbs.
January, (cutts) .	15	134
February, do. .	21	179
March, do. .	128	1,992
April, do. .	254	2,207
May, do. .	105	887
May, (sea) .	13	115
June, (cutts) .	705	3,651
June, (sea) .	641	3,420
July, (cutts) .	1,169	6,307
July, (sea) .	352	2,235
August. (sea and cutts)	79	649

3,482 21,776

1844.	Salmon.	lbs.
January, (cutts) .	27	241
February, do. .	28	231
March, do. .	197	1,675
April, do. .	259	2,164
May, do. .	143	1,311
May, (sea) .	5	
June, (cutts) .	506	2,632
June, (sea) .	690	4,057
July, (cutts) .	156	840
July, (sea) .	1,054	6,506
August, do. .	86	619

3,151 20,282

The year 1842 was the best year they ever had, both in the cutts and in the sea. The gross quantity of fish caught would be increased by increasing the number of bag nets. The more traps they had, the more fish would be caught; but if there are too many bag nets they do not do so well. If the whole fishery belonged to him, he would fish both with bag nets and at the cutts. If the cutts stand the storm, there is no expense in fishing them. There are white Trout, but not a large number, in the Bush; they are plentier in July than in any other month; sometimes in drawing the pool they catch four or five of them, and same are got in the cutts as the season advances. Charges are made for angling in the Bush, between the falls at Bushmills and the sea. The Bush is a very good river for angling; the river is stocked better for that purpose, and he has known many persons to come there for the purpose of angling. The Giant's Causeway attracts strangers to the neighbourhood, and then a great many remain for the purpose of angling. Five shillings a day, and one guinea a week, is charged for angling, and all the fish taken must be given up. He has known a person to kill fifteen or sixteen Salmon with a rod in the day. Some fish stop in the pools in June and July, and come into the cutts quite red. There is an Eel fishery in the Bush. They set nets for Eels on the cutts; the Salmon can go over these nets, and there are always one or two of the cutts on which they are not set. He considers the 12th August long enough to fish, and would commence on the 1st January. He sometimes catches the Bann fish, but never till July. It would be a great loss to the proprietor of the fishery not to be allowed to fish on the 1st January. The fish in the upper part of the Bush are not in season in the month of January; they are then on the spawning beds; but he is not so much acquainted with the spawning of the fish as those who are in the practice of watching the river. Heard some person say that he saw three or four fish rood in February. The third of the fish caught in the cutts are putrified, in consequence of the mesh, through which they had previously escaped. A fish of four pounds weight could not go through the cutts, but would escape through the meshes of the draught and bag nets. Captain Murray paid £6 or £7 for the Salmon of one season's angling; he lost the account of the quantity of fish he caught during the time, and agreed to pay that sum. The rent paid for this fishery is, witness understands, £230 a year; it is paid to Mr. Black.

Trout.

Angling.

Eel fishery.

Season desired.

Mesh.

Rent.

THE MAINE.

John Cooper, sworn.—Knows the river Maine since 1817, and has rented it the greater part of that time. The Dollaghau and Buddagh are both Trout. The late Act interfered much with the Trout fishery, for no quantity of that fish comes into the river until the latter end of the season. They do not begin to rood till the latter end of October, and they do not commence running into the river till the first floods, at the close of July.

The Maine.

Trout.

* The cutts were lifted the first week in August, and they fished in the sea up to the 19th.

APPENDIX, No. II.
The Maine.
Rent.

They do not spawn in any considerable numbers in October; and the Trout fishery would in fact be worth nothing if they were obliged to stop on the 20th August. Has two fisheries; one at the point, where the river goes into the lake, and the other by a weir across the river. He pays £120 a year for both the fisheries. The greatest run of Salmon, fit to kill, is in July. There is a greater run of fish in September in the Maine, but they are breeding fish. He got Salmon up to the 20th August, and Trout till the 12th October. Is aware that they are bound to return to the water all the Salmon taken after the 20th August, but this is not always done. All those who fish round Lord O'Neill's estate pay rent for the privilege. Water-bailiffs are put on the river after the 20th August, and they could attend and see that no Salmon were killed after that time: and thus the season for the Trout might be extended without injury to the Salmon. The Dollaghaun take a fly; there is no cross-line fishing in this river, but there is in the lake, and it is very successful there. There are far more Trout than Salmon caught in September: the Trout have pea and milt in that month, and, in his opinion, are going up to spawn.

Mr. Green, agent to the Honourable the Irish Society, begged to address a few observations to the Court. He appeared on the part of the Irish Society, and, as their representative, he pledged himself to co-operate with the Commissioners in carrying out whatever measure would tend to benefit the fisheries, and secure the peace of the country. He considered that a general uniform Close Season would be attended with these results; and that it was the only means of suppressing the demoralizing practice of poaching. Individuals might be injured by a Close Time, but such are the usual consequences of great measures. He had full confidence in the decision which would be arrived at, and the Irish Society would cheerfully co-operate in sustaining the views of the Commissioners, and working out the measures which they would propose, with a view to the general good.

SECOND DAY—COLERAINE, THURSDAY, JANUARY 23, 1845.

John Gibson, sworn.—Lives at Dundooan; is a dealer in fish, and has been a shareholder in a bag net fishery for the last five years, near Portrush. There is no rent paid for the fishery. Sometimes one and sometimes two nets are used; they are fished opposite Lord Antrim's estate, and about a mile from Portrush. He has two partners in the fishery. The nets are usually set about the middle of June, but last year they commenced about the middle of May. They did not think it worth while to commence sooner, for fear of wasting the tackle. They ceased fishing both before and since the Act, between the 12th and 20th August. There are three bag nets on the east side of Portrush, belonging to William Gregg, a tenant of Lord Antrim's, and seven from the point of Portrush to Dunluce; this was the number last year. He did not keep an exact account of the quantity of fish taken in the fishery, of which he has a share, but the average would be two and a half tons each year, for the five years. Within that time it was mostly one bag net that was used. Last year was the best they had; he thinks they took nearly four tons; it exceeded any previous year by half. He was in the habit of paying different prices, as a purchaser, according to the abundance of the fish, and the supply of ice. He has an ice-house at present: during the last five years he has purchased no fish except among themselves. The common price, from the 1st or 12th June out, was 4d. or 5d. per pound, by contract. When he was dealing in fish he never got any in February or March, as he used to buy only for the home market. He used not to purchase any till the latter end of June. In February the fish would bring in the home market 1s. 6d. per pound.

Mr. Knox, solicitor, begged to hand in the following memorial:—

“ To the Honorable the Commissioners for Irish Fisheries.

Memorial from
Lessees of Fisheries
to the Commissioners.

“ The humble Memorial of

Robert O'Neill, of Burnside, Low Rock Fishery,
John O'Neill, of Strand Fishery, Ballachron,
John Morrison, of Portstewart Fishery,
William Gregg, of Mullagheall, Portrush Fishery,
Duncan Weir, of Portbradden Fishery.
Daniel McKirgan, of Portstewart, Magilligan Fishery,

Landlords.
Heirs of Mark K. O'Neill, esq.
Same.
John Cromie, esq.
Lord Antrim.
Sir H. Bruce.

Showeth,—

“ That your Memorialists are all experienced fishermen on the sea coast, so far as having been employed and interested in the Sea Coast Salmon Fisheries for several years; and though they do not affect to be much acquainted with the river fisheries, nor to have studied the natural history of the Salmon, or watched their progress whilst in the rivers, yet they are well acquainted with the habits of the fish, and the mode of result of sea coast fishing, and are perfectly willing to be examined before your Honours; and being practical men, and willing to give all the evidence on the subject of sea coast fisheries, they hope to be able to yield some useful information gathered from their experience.

Season.

“ Firstly, Memorialists beg to state their decided opinion, that for the proper preservation of the Salmon, and to secure the best and permanent interests of all proprietors, both in river and sea coast fisheries, the season for fishing should commence in the month of February, and terminate on the 12th August, as heretofore provided by law, as they are convinced it would tend very much to the increase of the fish, and also to make the return of the fish earlier in the ensuing season, and be the best policy both in a public and private point of view.

Secondly, Your memorialists have no doubt whatever that the season for fishing having been extended to the 20th August, in the river Bann, and along the sea-coast adjacent to it, will very soon tend to the great diminution and destruction of the fish and fisheries, both along the coast and in that river; and they are of opinion that the present tenants of the Bann fishery have not an interest in preserving or increasing the Salmon during the next three seasons, as they have been informed, and believe that their lease of that fishery will expire in the year 1847, and that their ill-judged application to have the fishery season extended to the 1st September in each year, is a decisive proof of the correctness of their view on this point, and which, if granted, would tend to the great diminution of the number of fish, and consequent decrease of value of the fishery in that river, and almost total destruction of the sea-coast fisheries; and therefore they do trust and express a confident hope that a measure so destructive of an immense number of Salmon, at a period of the year when the spawning season is about to commence, and each fish is of ten-fold comparative value, will not be entertained or recommended by the Commissioners, but, on the contrary, will meet with their most decided disapproval, and that the adoption of your memorialists' urgent recommendation, joined with that of the other sea-coast fishers, of having the Close Season fixed to commence on the 12th of August in each year, will be recommended by the Commissioners as productive of the best results both on public and private grounds.

Thirdly, Your memorialists beg to show to the Commissioners that the Open Days during the fishing season (*i. e.* the Sundays) are not productive of any advantage, so far as regards the preservation or reproduction of fish, as the Salmon, which may find their way up the rivers in the early part of the season, are not likely to be preserved, being so few in number as not to be worth the expense of watching; whereas, if the Close Season were to commence on the 12th August, when the great body of spawning fish are going up to the spawning beds, they could be preserved by the water-keepers, whose duty would then commence, and be worth attending to; and your memorialists beg leave respectfully to state, that the great risk, difficulty, and expense of lifting nets on each Saturday night during the season, and setting them on Monday morning, on a rough and rocky coast, are such as to amount, in some instances, almost to an impossibility, as when the sea is very rough, which frequently happens on this part of the coast, men could not venture out without imminent risk to themselves, nor could they, in rough weather, lift them on Monday morning, so that they would frequently have their nets unset for days together, were they obliged to lift their nets every Saturday night, as happened in some instances during last year; as they believe, and they are perfectly aware that, during the last season it was found impracticable in many places to effect the lifting and setting of the sea-coast nets weekly; nor so far as they are aware, was it practised in the rivers by the lifting of the stakes in the several weirs; and they are all decidedly of opinion that the old law was the best, and that twenty-fold more fish would be preserved during the week, from the 12th to the 20th August, than during all the Open Days or Sundays during the fishing season, as by the late Act of Parliament directed.

Fourthly, That all your memorialists consider it would be most desirable, and absolutely necessary, that a sufficient number of respectable and efficient water-keepers should be appointed along the rivers, for the purpose of effectually preserving the mother fish during the spawning season, which they consider are not sufficiently preserved, notwithstanding all the care and efforts which the river proprietors direct towards effecting that object; and they consider, that if a proper force were established during the spawning months, it would be fair and reasonable that the proprietors of the sea-coast fisheries adjacent to such rivers, and who, it must be admitted, participate in the advantages of such preservation of the fish, should also contribute proportionably to their relative and respective value towards the expense of such preservative force on said rivers, and co-operate with the river proprietors, as much as they possibly could, in preserving the fish, and should endeavour to identify their common interests as much as possible, instead of looking on each other, as has hitherto been too much the case, with the jealousy of hostile proprietors, whose interests were totally opposed to each other, and never could be identified.

Fifthly, That the experience of the last season's fishing has proved, that the increased size of the mesh in the sea-coast nets, being ten inches in circumference, as now required by the late statute, has done serious injury to the fish caught in the sea, as well as to numbers caught in the rivers, a great proportion of which are so entangled in the mesh as to be bruised and deprived of their scales, and their flesh, which is very delicate, so much injured as to render many of them unsaleable, and the value of others in the market much depreciated. Your petitioners further show, that many of the fish which are taken in the river Bann, and also in the river Bush, have been ascertained to have been considerably injured by having forced their way through the large mesh of the sea coast nets; so that the intention contemplated in the statute—of allowing small sized fish to escape, by the increased size of the mesh—has been in a very great measure frustrated, as considerable numbers of fish which do escape the sea nets are caught in the river in a depreciated and injured state, all which would be avoided without decreasing the number of fish, if a reduced size mesh were permitted. They are therefore most anxious that the mesh should be reduced from two and a half to two inches, which would render the effect of it in securing fish still inferior to the solid stakes, which are used at the cutts and weirs in rivers, which by said statute are regulated at two inches apart; as it is quite evident that meshes of two and a half inches from knot to knot, made of a pliant substance, such as twine, which will yield to the force, and accommodate itself to the shape of the fish, will not have the same power as solid upright wooden or iron bars, placed at a distance of only two inches asunder, which will not yield to any efforts of the fish. They would therefore recommend that the two inch mesh for sea nets should be permitted, as they cannot possibly conceive what advantage can be gained in the preservation of fish by requiring the sea coast mesh to be of two and a half inches from knot to knot, while the solid stakes in the weirs in the rivers are permitted to be placed so close, so as to be only two inches apart from each other, and thus totally to contravene the beneficial effects anticipated or intended by the enlarging of the sea coast mesh.

Memorialists beg to state that they are in the court-house of Coleraine, ready to be examined touching the foregoing statements, and any other matters within their knowledge which the Commissioners may please to inquire into.

Your Memorialists therefore pray that your Honours would take the foregoing statements into Prayer. serious consideration, and recommend—

First, That the Close Season should commence, as heretofore, on the 12th August, which must be attended with the most beneficial results, both to public and private interests.

Secondly, That the comparatively useless enactment which requires the stakes to be lifted on

APPENDIX, No. II.

*The Maine.*Memorial from
Lessees of Fisheries
to the Commissioners.Extension of the
Season injurious.Weekly Close Time
not advantageous.Weekly Close Time
not observed.
Old law.Necessity for
appointing water-
keepers.

Mesh.

APPENDIX, No. II.

The Maine.

Memorial from
Lessees of Fisheries
to the Commissioners.

Saturday nights, during the fishing season, should be repealed—same being twenty-fold compensated by closing the season on the 12th August.

Thirdly, That the size of the mesh should be reduced to two inches, from knot to knot, by which the injury to great numbers of fish, hereinbefore stated, and fully admitted by all parties, will be fully prevented.

Fourthly, That an effective preservative force should be established along the rivers, during the spawning seasons.

And your petitioners will ever pray.

(Signed,)

ROBERT O'NEILL,
JOHN O'NEILL,
JOHN MORRISON,
WILLIAM GREGG,
DANIEL M'KIRGAN.

Object of the weekly
close Time.

MR. MULVANY observed, that some parts of the memorial were highly creditable to the parties from whom it emanated. There was a general feeling throughout the country in favour of a reduction in the size of the mesh, and the importance of observing the annual Close Time was duly estimated by the memorialists. But their request respecting an alteration of the law, as to the weekly Close Time, would, if attended to, frustrate all the beneficial tendencies of the Act. The object of that part of the Act was to give the upper proprietors an interest in the fishery, and thereby cause them to protect the fish at the breeding time. Mr. Gabbett, the largest proprietor of fisheries in Ireland, strenuously co-operated in carrying out this part of the bill, although he had to open a weir 1,200 feet long, and lost apparently by the weekly Close Time. The free weekly passage of the fish to the upper parts of the rivers is most beneficial, and brings back one hundred fold the produce to the lower proprietor, while it creates a spirit of co-operation, without which no protection, really beneficial to the fisheries, can take place.

Mr. Knox begged to observe, that this view of the subject did not at all occur to the memorialists in drawing up the memorial.

MR. BARRY said, that such an application had come from that quarter alone. Every other part of Ireland had proved and acknowledged the advantages arising from the weekly Close Time, and they could not be too strong in the expression of their conviction, that such a change—a change which was in direct hostility with the entire policy of the bill, could never be conceded.

Fisheries between
Dunluce and Magil-
ligan.

Mr. Knox observed, that the persons whose names were attached to the memorial, are the tenants of the several fisheries between Dunluce and Magilligan; these fisheries are—first, Lord Antrim's, from Dunluce to Portrush; second, a very small one of Mr. O'Hara's, half way between Portrush and Portstewart; third, Mr. Cromie's at Portstewart; fourth, Mr. O'Hara's, from Portstewart to the Bann mouth; and the next belonged to Sir Harvey Bruce, extending from Downhill castle to three miles along Magilligan strand.

Mr. Green, on the part of the Irish Society, disputed the titles of all the fisheries between Ballyshannon and Olderfleet—a name not found in the maps, but considered to be what is now called Larne.

Portrush fishery.

Number of bag nets.

Time of fishing.

Favourable wind.

Rent.

Produce.

Mr. William Gregg, produced by Mr. Knox, sworn.—Has a fishery which commences at the old castle of Dunluce, and ends at the west side of the harbour of Portrush. These boundaries include the fishery of the last witness, which is in dispute. He has from five to six bag nets. Fishes one between Gibson's net and Dunluce, another west of that. Gibson has one net westward of his western net, and he has one to the east of Gibson's eastern net. He has three nets to the east, and one at the west side of Portrush. The earliest time he commenced fishing was in 1836, when he set his nets on the 27th April, but the general time for commencing was, the 28th April or the 1st May, and they always stopped about the 14th or 16th August. He would not be able to pay the men after that time. Thinks that fishing too late is destructive to the fishery. The weather gets bad, and the fish do not keep the shore after the middle of August. They catch the greatest quantity of fish when the wind blows from the north or north-east. The Clerk of the fishery is in England, so that he cannot produce the account of quantity for a number of seasons. He pays £325 a year for his fishery; had not a lease of it till last year, but paid that rent for several years. Had a fishery west side of the harbour of Portrush, for three years before the bag nets were introduced. Paid at that time £20 a year for the one spot, and fished with draught nets hauled on shore. Had good take for those three years. The largest quantity he caught in one day with the draught nets was ten or eleven hundred weight. He has a return of the fish caught last year. The following is correct:

Fish taken at the Portrush fishery in the year 1844.

	Salmon.	lbs.
May,	157	1,660
June,	930	6,155
July,	1,989	13,892
August,	293	2,220
	3,369	23,927

Produce.

Bag net.

There is more fish taken now with the bag than used to be with the draught nets. The shallowest depth of water in which he fishes, is about sixteen or seventeen feet; and the deepest from thirty-six to forty feet. The leader of the bag net goes down to the ground.

It is 116 yards long, and has in depth 100 meshes of six inches each. The fish are caught coming from the east. The nets at the Point are better if the weather be breezy; but if fine, the in-shore one is better. The net on the west side of Portrush catches fish from the west. Two of his nets are double headed, and fish on both flood and ebb; the others are single-headed. The mesh of the net is quite too large; has frequently seen the fish passing through it. Has not observed the weekly Close Time, nor has it been observed to his knowledge on the coast; it could not in fact be done without loss of life. It is very difficult to raise the net; but he did so sometimes, when it was practicable. Fished to the 20th August last year. Between the 12th and 20th of that month the fish are changing in colour; they are then becoming rather brown. The great body of the fish have passed the coast on the 12th August.

To Mr. Knox.—Tenfold more fish would go up to spawn between the 12th and 20th August than in the whole weekly Close Time. If fishing in the Bann were continued to the 1st September, all the breeding fish going up between the 12th August and that time would be killed, and the stock would be very much lessened. Before the late Act, the fishing ceased in the Bann on the 12th August. Never opened fish caught in August; but saw one deposit its spawn in the boat in that month. This could not have been a fish that had gone into the Bann, and having stopped there for some time, was then returning to the sea, because it was going in quite the contrary direction.

There was no evidence given of the Broadisle fishery belonging to Mr. O'Hara; it is very small; only fished for one year; and did not pay the expenses.

PORTSTEWART FISHERY.

John Morrison, sworn.—Has held the Portstewart fishery these three years under Mr. Cromie, at a yearly rent of £25. Has two bag nets; sets one opposite the town, and the other to the eastward. The first catches from the west, and the other from the east. Never fished at Broadisle; it is very much unsuited for fishing. Sets his nets from the 7th to the 12th May; and stopped fishing last year on the 18th August. The weather was then very rough; and they were killing more than in May and June. Ceased fishing the year before at the same time; but the year before that he continued to the 1st September. Killed about 650 fish last year, of an average weight of seven pounds. The produce of each of the three years was nearly the same; the first year, 1842, was somewhat the best. He has no lease but holds under Mr. Cromie from year to year. Caught only two fish in May last year, and only a few up to the 20th or 21st June. Heard the evidence of the other witnesses as to the size of the mesh, and his opinion perfectly corresponds with that already offered. Thinks that a number of the fish which he has seen escaping through the nets, could by no possibility pass through the fixed stakes at weirs. It is impossible to observe the weekly Close Time, in consequence of the roughness of the sea; he has seen the nets breaking away and no one could venture out to secure them.

BERNE OR ROCK FISHERY.

Robert O'Neill, sworn.—Has a fishery at Berne rock, between Portstewart and the Bann mouth. Has two bag nets, and catches the fish coming from the West. It is thirty years since he commenced to fish there, and has used the bag net these thirteen or fourteen years. Pays £40 a year for half the fishery to the heirs of Mrs. M'Manus; the other half belongs to Mr. O'Hara. He never had both the fisheries between Portstewart and the Bann mouth. He commences to fish about the 1st May; the fish fall away about the 1st August, and he ceases to fish on the 20th August. Fished one year till the beginning of September, but there was no use in doing so. The great run of fish is over after the 12th August; they then keep off in the deep water, and are heavy and bad high up towards the river. He has kept an account of the produce of his and Mr. O'Hara's fishery: the produce of his fishery last year was about 2,000 fish, weighing about 13,400 pounds; 1,793 Salmon, weighing 12,979 pounds, were sold in Liverpool, and what was sold in the neighbourhood makes up the difference. The year 1837 was the best year they had; it was one of extraordinary produce. 1842 was a pretty good season, and better than the last. His evidence as to the size of the mesh agrees with that given by the others. Has seen, out of thirty fish taken in one shot, ten entangled in the net, and so damaged that they could not be sent to Liverpool. In 1837 he has taken 300 Salmon in one net, and one day's fishing; he sometimes took 100 in a shot, and a great many of these were fastened in the net. Gets some, but not many, white Trout. Gets also some white fish to the amount of £3 or £4 worth in the year. He fishes in about seven or eight yards of water, and the two nets are set at about 300 or 400 yards from each other. He pays nothing towards the protection of the river. They do not send water-bailiffs to watch Mr. Griffith on the Bann, because all are fishing contrary to the letter of the law. According to his experience of thirty years, and he is acquainted with the habits of the fish, he is of opinion that the 12th August would be the best time to close the season; if allowed to fish on to the 20th August, they would kill a great number of mother fish, and the fishery would be thus rendered unproductive. Besides, the great run of the fish is over on the 12th August; and this is the principal reason for his opinion. They kill more heavy fish going up to spawn in August than in the whole previous year. He never fished in February; catches Salmon in May, and Grawl in June. He tried the fishing in April, but did not succeed. The bag net is an expensive mode of fishing, the rock nets cost about £20 each, and Mr. O'Hara's strand nets £30: this includes the expense of anchors, which are iron bolts run through stones; they are never taken out of the water: no fluke anchor would hold the nets. The nets last about a season, and he uses tar for the purpose of preserving them.

APPENDIX, No. II.

Portrush Fishery.

Mesh.

Weekly Close Time.

Late fishing injurious.

Portstewart Fishery.

Rent.

Time of fishing.

Produce.

Mesh.

Berne or Rock Fishery.

Rent.

Time of fishing.

Produce.

Mesh.

Season desired.

Cost of bag nets.

STRAND FISHERY.

APPENDIX, No. II.

Strand Fishery.

Produce.

Witness is manager of the Strand fishery for Mr. O'Hara, and fishes to within about a mile and a quarter of the Bann mouth. Sometimes two, but generally three bag nets are used in this fishery, the leaders of which are 200 yards in length. The produce of this fishery last year was about 1,400 Salmon. 1,317 Salmon, weighing 9,612 pounds, were sold in Liverpool, and about 100 in the neighbourhood. Allowing seven pounds average weight for this 100, the gross weight of fish taken during the year would be 10,312 pounds. Last year was an average year. Mr. O'Hara went to great expense with this fishery: it was not worth much when he took it first, and before the bag nets were introduced he used to fish it with draught nets and a capstan. Mr. O'Hara owns the sand banks, off of which this fishery is carried on.

Mr. Knox observed that this property was in the O'Hara family upwards of 100 years.

Examination continued.—This is more expensive than the rock fishery, and the time of commencing is about the same or a little later. The nets here take an entire day in the setting, and there are many days on which it would be utterly impossible to reach them. They could not be set with "travellers," but they sometimes bring them in by that means. There were a great many days in the fishing season when they could not go out to take the fish out of the nets. They go out in flat-bottomed boats to fish these nets. His son has taken the strand fishery this year, and is to pay £85 for it; and he pays £135 a year for the two bag nets at the rock. His opinion as to the size of the mesh agrees with that expressed by the other witnesses.

Rent.

Mr. John Watson, sworn.—Lives at Freehall, near Downhill, and had a fishery for some time, opposite his land, of which he has a lease for thirty-one years. Commenced fishing in 1837, with Sir James Bruce. Used sometimes one and sometimes two bag nets, and fished every year since 1837, except the last. His fishing ground was about a statute mile, more or less, west of the Bann mouth. Paid no rent for the fishery, but was to supply Sir James Bruce's table. His nets were double-headed, and caught fish on both flood and ebb. Has sometimes not killed £20 or £25 worth of fish in a season; and £60 was the greatest amount yielded by the gross produce of one year; the latter sum would pay the cost of fishing, nets, &c. Generally began to fish in June, and ceased early in August. His was not a valuable fishery, and he worked it less for profit than for his own gratification, as it was under his own house. The fish generally left his place early in August. Agrees with the other witnesses as to the injury done to the fishery by the present mesh.

Produce.

Fishing time.

MAGILLIGAN FISHERY.

Magilligan Fishery.

Rent.

Fishing time.

Size of nets.

Produce.

Daniel McKernan, sworn.—Is a fisherman; lives at Portstewart, and holds the Magilligan fishery under Sir Harvey Bruce. This fishery extends about four miles along the strand, commencing at Downhill temple, about a mile west of Watson's, and reaching to the Doagh. Has held the fishery for six years; pays sixty guineas a year rent, but paid only £15 the first season. Had only three bag nets last year, but sometimes uses four; and there are two bag nets between him and Magilligan point. Commences to fish in the middle of May, and ends from the 12th to the 20th August. Never tried in Spring, and always ceased in August, because they could not fish there any longer. Sometimes the fish were plenty enough, when they were obliged to cease. In September the sea becomes very rough, and the ground swells raise breakers on the shore to an enormous extent. All his nets are double-headed. The flood runs westward, and the ebb eastward. The times of flowing and ebbing depend upon the wind, but they are generally equal. The greatest quantity of fish is taken in calm weather; they could not fish there in coarse weather at all. The depth of his nets in the head is eighteen feet, and the length of the leader 250 yards. The leaders do not come beyond low water mark. Last year was near an average year. The following return of the quantity of fish taken at Magilligan strand, in the year 1844, is correct:—

May,	.	.	.	256 lb of Salmon.
June,	.	.	.	1,781 "
July,	.	.	.	8,607 "
August (to 20th),	.	.	.	2,228 "
Total,	.	.	.	12,872

Best month.

July is the best month in the year. He cannot say whether he catches the Bann or the Foyle fish. 1842 was the best year he has had; the produce of that year was twelve or thirteen tons. Mr. Lurim has some property at the Doagh, and has one bag net set round Magilligan; altogether there are two bag nets west of him, but the produce of them is very inconsiderable. Agrees with the statements of the other witnesses as to the size of the mesh, and the difficulty of observing the weekly Close Time. He has frequently taken up his nets, and could not set them again for a week afterwards.

BANN FISHERY.

Bann Fishery.

Mr. John Griffith, sworn.—Is manager of the Bann, and the upper tributaries of that river. Has one bag net at the Bar mouth, and a draught net fishery at the Crannagh. Tried a bag net in the river, on one occasion, but did not continue to use it. He has the management of the protection of all the upper waters, for the lessees of the Irish Society. There are no other fisheries up the river. There is an Eel fishery at the cutts, but it is

not of any value, and would not pay the expense of nets; it is merely fished for their own use. Has been four years in his present situation. He used to put on two of the cutts the first week in February before the late Act. They were the two on the western side; one at the entrance, and the other beyond the bridge. They used to cease fishing on the 12th August; sometimes they could not lift the cutts on the day, but they did so as soon as possible after. There has been no application made from the Bann for a change of season, nor is he anxious to press for a continuation of the fishing time, but he can show that the fish are in excellent season from the 20th August to the 1st September. He would sooner be allowed to fish till the 1st September, and have February altogether included in the Close Time. If he were proprietor of the fisheries, this would be his wish, because there are no fish worth mentioning taken in February. Fishes by the cutts, of which there are five. The far off one is called "the land cutt;" the next is "the Alexander;" the next, "the new cutt;" the next, "the Murphy;" and the next, "the Bishop's cutt." He does not fish between the cutts and the bridge; they tried one year, but without success, as the bottom was not good. The first place at which they fish below the cutts is at the Crannagh, and they haul two draught nets there. There are other nets used there occasionally, and they sometimes fish with draught nets between that and the Bann mouth. Fishes with one bag net outside, west of the mouth, and within a mile of it. Commenced the bag net fishing in 1842, merely for the purpose of keeping off trespassers. The lessees pay rent to the "Cloth Workers' Company" for this fishery, and do not, as far as he knows, fish there in right of a "several fishery." The lessees pay £750 a year for the Bann fishery to the Irish Society; he is not, however, aware of the exact sum. The Messrs. Little are the lessees, and their lease of the fisheries will expire in three years. Ten guineas a year are paid for the bag net fishery outside. He employs from one hundred and thirteen to one hundred and twenty water-bailiffs in the protection of the river and the tributaries, and there are five principal superintendents placed over them, to see that they discharge their duty. The Bann, Lough Neagh, and the tributaries, are divided into districts, and each district has a superintendent. He gets evidence from these, and the water-bailiffs, of the breaches of the Fishery Act; and he spends six months in the year travelling to different places, and prosecuting the offenders himself, for the purpose of saving law expenses. He has not received one farthing towards protection from proprietors along the coast. Has an account of the annual cost of water-keeping, for the last three years. The following is correct:—

1842.			1843.		
	£	s. d.		£	s. d.
Water-keepers,	509	14 0	Water-keepers,	548	3 6
Travelling expenses of Manager,	47	1 10	Travelling expenses,	38	5 6
Law expenses,	20	0 0	Law expenses,	20	13 7
	£576	15 10		£607	2 7
1844.					
	£	s. d.		£	s. d.
Water-keepers,	532	4 9			
Travelling expenses,	26	5 5			
Law expenses,	23	15 3			
	£582	5 5			

These sums include no part of his salary, nor the wages of the fishermen, and were all incurred during the Close Season. The law expenses have arisen from the new Act—at least, they were not incurred before. Magistrates now impose very small fines of 6d. or 2s. 6d.; and the parties, sooner than pay these small penalties, appeal against the decision, and the convictions are quashed by the ingenuity of the lawyers. Is of opinion that where small fines are imposed, not exceeding 10s., it would be well to remove the right of appeal. He never made any proposition to the upper proprietors in regard to protection, nor did they make any proposal to him; he heard the thing talked of, and that was all. Lord O'Neill did not assist in protection; water-bailiffs are not allowed into his demesne to protect the river, and poaching is carried on there to a great extent without his Lordship's knowledge. He thinks that the injuries which were the cause of the prosecutions which he instituted, arose both from ignorance and a willingness to injure. There is one water-bailiff employed on the river by the Rev. Mr. Rowen. Witness got portions of the late Act printed and circulated, with a view to inform the people of the law, and thus cause them to observe it. The water-bailiffs are employed throughout the entire year, and are engaged in the Open Season in preventing the use of illegal nets; he means by illegal nets draught nets of an illegal mesh. He does not interfere with draught nets of a legal mesh. The water-bailiffs interfere with angling above cutts, that is—with some farmers and servants who are likely to be poachers; and he has known very respectable farmers to poach on the river; but he has rather encouraged angling in the Open Season, and believes that he never prosecuted any person for angling. The lessees claim a several fishery, from the entrance of the Bann to Lough Neagh, and he has under his charge the part between the cutts and the sea. The particular look out of the water-bailiffs is to prevent the destruction of spents and Fry. There are water-bailiffs round the borders of Lough Neagh in Summer, from the entrance of the Blackwater to Milltown; but he keeps none, either in the Open or Close Season, from Milltown to Six-mile-water; the part protected during the Summer is about twenty-five miles in length. He has fined some persons

APPENDIX, No. II.

The Bann.

Fishing time.

Season.

Draught nets.

Bag nets.

Rent.

Protection.

Cost of protection.

Minimum penalties.

Angling.

Several fishery.

Protection.

APPENDIX, No. II.
The Bann.

Obstructions.

Produce.

for fishing in the Bann, near Portadown. Has no keepers on the upper Bann, and believes that Salmon do not go up the upper Bann. There are spawning grounds between the lake and Banbridge. There are water-bailiffs above Benburb—between it and Caledon. There are eleven water-bailiffs at Benburb, and he has some also on the Maine. Protects the Sixmile-water, and has keepers on the lower Bann from the cutts to the bar mouth; these protect the Articliff, a tributary of the Bann. Protects the middle Bann, from the cutts to Lough Beg; and has sixteen water-bailiffs on the Givey river. There are a great number of spawning grounds on the middle Bann. The best spawning river connected with the Bann is the Claudy, which flows into the river near Portglenone. The same extent of protection did not exist before his time, nor was there the same sum expended in protection. The expenses of protection, in 1839, were £369 12s. 2d., and in 1840, £413 6s. 2d. The fisheries have increased, in consequence of this additional vigilance, to a very considerable extent. There are about ninety mills and factories on the Bann and its tributaries, exclusive of the upper Bann and the south and east coast of Lough Neagh, from Magherry Ferry to Milltown. At these mills and factories great destruction of spawning and spent fish annually takes place. It could be testified on oath that pigs have been fed on the ova and guts of Salmon at these places. Carrys from ten to four feet high impede the free progress of fish. The following return of whole produce of the Bann fishery, including the cutts, bag and draught nets, is correct; it comprises the quantity taken for the last three years.

1842.			1843.			1844.		
	Salmon.	How disposed of.	Salmon.	How disposed of.	Salmon.	Salmon.	How disposed of.	Salmon.
February,	1	Sold to the inhabitants of	February,	0	Sold in Coleraine, 1,011	February,	4	Sold in Coleraine,
March,	6	Colerain, Belfast, &c.,	March,	11	Presents, 267	March,	7	Belfast, &c., . . . 1,185
April,	35	Given as presents to the	April,	36	Shipped, 20,382	April,	167	Presents, 363
May,	467	proprietors of Mills,	May,	326		May,	1,074	Shipped, 13,463
June,	4,624	Factories, &c., along the	June,	6,488		June,	4,605	
July,	4,852	river and tributaries, .	July,	11,256		July,	7,009	
August 12th,	3,605	Shipped to Liverpool, .	August 12th,	3,543		August 20th,	2,145	
	13,590			21,660			15,011	15,011

Prices.

Comparative pro-
duce.

The Salmon were sold in the neighbourhood, at 1s. per pound, at the time when they were getting 2s. 6d. and 2s. in Liverpool. The presents alluded to were made to those who would not receive any other remuneration for discountenancing the destruction of fish in the Close Time. Commenced selling in the neighbourhood at 1s. per pound, and the price then went down to 10d., 9d., 8d., 6d., and 4d. The quantity of fish caught now in the Bann is greater by a good many tons than that taken in the time of his predecessor. The take in 1844 exceeded that of 1839 by four tons, and the take of 1843 exceeded that of 1839 by twenty-five tons. His expenditure in protection, &c. was £200 more than that of his predecessor. £35 to £40 per ton may be considered a fair average price for the fish.

Observance of law.

Mr. MULVANY expressed his great astonishment at the smallness of this return. The Bann was a splendid river; it unwatered an immense tract of country, and yet the quantity of fish taken in it was vastly inferior to that caught in the Foyle. On referring to the notes of the Derry meeting, he found that the quantity produced in one month by the Foyle was as great as that of the entire season in the Bann.

Examination continued.—They did not observe the law in the years 1841 and 1842; in 1842 commenced taking up the cutts on the 12th August; fished about a week beyond that time, but with probable not more than two cutts. Fished no later than the 20th August this year. When the late Act was passed, he commenced to observe the weekly Close Time, but discontinued doing so soon after, and did not observe it since. It was sometimes impracticable to observe the weekly Close Time in consequence of the floods. In these years he obtained about 400 convictions for violations of the law, and seized about 400 illegal nets. They did not obey the law because others did not; but they will observe it in future, because he finds a greater tendency on the part of the upper proprietors to assist in protection. The weekly Close Time has not been observed in the draught net fishing either. The practice of stretching the fixed net across the entire river has existed these forty years; but it was not stretched out more than three times last year. Last year the weekly Close Time was always observed in the draught net fishing. He has been told that Salmon were caught in Lough Neagh. He affords every facility to the upward passage of the Eel Fry by means of straw ropes and buckets. The Eel Fry have not been destroyed at his place, nor was it ever the practice to destroy them. They get very few Trout at the

cutts; never two dozen in any season—one or two white Trout and all the rest black. White Trout are caught in the draught nets at the Crannagh, and the following account of the quantity taken there is correct :—

APPENDIX, No. II.

The Bann.

White Trout produce.

1842.	Trout lbs.	1843.	Trout lbs.
Sold in the neighbourhood,	2,577	Sold in the neighbourhood,	799
Shipped to Liverpool,	2,869	Shipped to Liverpool,	1,487
Total caught,	5,446	Total caught,	2,286

1844.	Trout lbs.
Sold in the neighbourhood,	2,042
Shipped to Liverpool,	2,228
Total caught,	4,270

The average weight of the Trout is about one pound; and the Coleraine price is from 1½d. to 6d. per pound. Used the small mesh this year for the capture of the Trout; and the Trout and Salmon fishing ended at the same time. Got but very few Salmon along with the Trout. Their ordinary Salmon mesh was two and a half inches from knot to knot, but they used a much smaller mesh for the Trout fishing; is aware that it was not the legal size. Does not know the spawning grounds for the white Trout. Never saw much pea or milt in the Trout about the 12th August; they are not then about to spawn. There are two obstacles between Coleraine and the Lake—Movanager and Portna; there are fords there in which the fish can be easily gaffed, but these fords do not prevent the spents from going down. The spents go down in February, March, and April; heard that some are seen passing down in January; but he has no opportunity of observing them in that month, as he is then from home; the greatest number go down in April, and some in May. There is a space of thirty or forty feet at the cutts, through which the spents can always pass down, and every facility is afforded them. The Fry were seen passing down the early part of this January; the greatest bulk descend in May and some in June. Does not know the Liverpool prices of fish. He wished to call the attention of the Commissioners to the thirty-sixth section of the Act. He considered that there should be a penalty imposed on persons for having in their possession any fishing implement on the banks of any river in Close Time; for it seemed that by this section persons are not subject to a penalty unless actually found killing the fish. He also considered that the seventy-fifth and seventy-eighth Sections were imperfect, as they did not prohibit the use of the gaff in daylight. Is also of opinion that in case of a bona fide conviction there should be no appeal for offences against certain Sections, about twenty in number.

The Pollen fishers fish for Pollen all through the year. He considered it advisable that a Close Season should be established for that fishery, commencing in October, and ending the 1st January; that would allow a sufficiently long time to recompense the fisherman, and not injure the other fisheries. The Pollen trammel net may be used up to the 1st October without injury; it is rarely that a large Trout is caught up to that time. Heard that the Pollen spawn in millions in December; their rooding place is on shelving rocks. The draught Pollen net cannot be used in Close Time without injury to the Salmon. An inch mesh for the Pollen net would be for the general good; such a mesh would catch the Pollen, let the very small fish pass through, and not injure the Trout and Salmon fishery. All the Pollen fisherman are anxious for a Close Season for their fishery. The Dollaghan are on the rood in the upper waters a month before the Salmon go up at all. Thinks that if they were properly fished for, they would be caught in different parts of the lake as well as at the mouths of the rivers; when taken at the mouths of the rivers they are going up to spawn, and that is not the time to catch them. Is of opinion that the very small bunt could not be used without injury to the Salmon, Trout, and other fish. Thinks it would be injurious to the Dollaghan fishery to take them in such numbers as Colonel Blacker proposes, when going up to spawn. The greatest catch of Salmon in the Bann up to 1839 was in 1815, when ninety-two tons were taken; in 1818 the take was thirty-one tons.

Lewis Quinn, sworn.—Is superintendent of water-keepers in a district comprising the Ballinderry river, and round Lough Neagh. There is an immense number of spawning grounds in that river; it is about twelve or thirteen miles in length, and they scarcely ever find a fresh-run fish there till September. No Salmon spawn there till about a fortnight before Christmas; the great bulk spawn at Christmas, and, generally speaking, the spawning is over in December. He never saw any spawning in February. There are deep holes in this river where the Salmon could live if let alone; but he has known draughting to take place this very Close Season in those spots. Knows nothing of the spawning time in the other rivers. It is a very good way to create an interest in protection, to give a share of the good fish to the upper people: if he lived on the upper part of a river, and that he got a portion of the good fish, he would take an interest in protecting the river. All the spents are out of the Ballinderry river in January; the Fry go down at the latter end of March, and the great bulk in April—the last two weeks of that month and the early part of May. Fishing for Salmon is carried on in Lough Neagh, and Salmon are caught there both in the Close and Open Season. Had to cause a patrol of water-keepers—great

Obstacles.

Migration.

Amendment of the Act.

Pollen.

Mesh.

Dollaghan.

Spawning.

The Ballinderry river.

Spawning.

Migration.

APPENDIX, No. II.	numbers together—to watch the river, and prevent illegal fishing. He does not know that there is much difference between the Trout and Dollaghan; they go up to spawn about the middle of October, and rood at Hallow-eve: the best time for their spawning is from the 1st to the 12th November, but some spawn at the latter end of that month. The late Trout and the early Salmon are on the rood together. Spent Trout and Salmon return to the sea about the same time, but the Trout Fry come down a little earlier than the Salmon Fry. It is too late to fish for Trout in September, because the Salmon are then going to spawn, and, besides, the Trout are in bad condition sooner than the Salmon. They catch the Dollaghan with “set nets” in the deep part of the lake. The largest mesh in the set net for catching Dollaghan is one inch and a half: he has seen a Dollaghan of twenty pounds weight. The pea is beginning to grow large in September, and is matured sooner in the small than in the large sized fish, and they come to spawn quicker. They are sometimes caught with lines. Permission might be given to use a net for Trout in September, if they would not take Salmon also: they could take them, of course. The Pollen all brood in the body of the lake on rocks and shoals, and their spawning time is the same as that of the Salmon. The fish which Mr. Griffith produced in court on yesterday had spawned, and were not in good condition, but the Pollen get in good condition after spawning sooner than Salmon. It is mostly the poorer class of persons who are engaged in the Pollen fishery. This fish is sold for 2s. 6d. to 3s. a hundred—that is the long hundred, containing six score. He has seen them sell so low as 1s. 8d. and 2s. per hundred. They are bad for eating after spawning, but can be eaten tolerably well from a month to five weeks before. The fine trammel net, or, as it is called, the “set net,” costs from 5s. to 7s., the yarn of which it is made is about ten hanks to the pound: they were in the habit of using a coarser description, but they found that the finer the yarn the better the net. These nets last but one season, for it rarely happens that a fish can be taken out without tearing them. It is considered that not more than one-tenth of the fish that strike the net are killed. The Pollen live but a very short time after being caught; they die almost immediately when brought on shore. The length of the trammel net is three score yards on the line, and it is about four feet in depth. This net might be permitted to be used in the Close Salmon Season, without any injury to that fish. Does not think it possible to take a Salmon or Trout in the “set net;” he never knew an instance of one being taken in it. He is of opinion that there are more than 1,000 persons engaged in the Pollen fishing, and upon these several thousand families depend for subsistence.
Lough Neagh.	
Dollaghan spawning.	
Migration.	
Modes of fishing.	
Pollen.	
Spawning.	
Price.	
Nets.	
Number of boats.	
Pollen.	<i>Mr. Fjorde</i> observed that he considered that was greatly beyond the number.
Modes of fishing.	<i>Witness in continuation.</i> —Such was his opinion, and he has had pretty fair opportunities of judging; he knows one townland in which there are twenty-five boats engaged in the Pollen fishery. The Pollen fishing is now open to every one without restriction, but about twenty-five years ago half a guinea a boat used to be paid to Sir George Hill for the privilege of fishing for Pollen. This was confined to a certain district of the lough. The Pollen have been salted, but not frequently, because the demand is so great that they are all bought and consumed in their fresh state. It is only those that are depreciated in value about the spawning season that are bought and salted by speculators and kept over till Lent. They are salted much in the same way as Herrings, but not with the same description of salt. Fishing for Pollen with the draught net has only been introduced within these fifteen years, and the fishery has decreased every year since. The general mode of fishing for Pollen is in the deep water, and with the “set net,” which, as he said before, may be used in the Close Salmon Season, without injuring that fishery, and with very great advantage. He has seen Trout and Salmon Fry taken along with Pollen in the small bunt or draught net. The Close Season for the Pollen should be from the 1st October to the 1st February; that is, giving one month after spawning and five weeks before. There is no one month more than another particularly good for this fishery; every thing depends on the state of the wind. July might be a good month this year and bad the next. The Pollen are not found in Lough Beg or the tributaries. In warm weather they come to the shore, and in cold keep to the deep water. Sometimes the fishing is good at the foot, and sometimes at the head of the lough. Consulted with the Pollen fishermen, and they are all desirous of having a Close Season enforced. He would fix a mesh of one inch from knot to knot in the “still net.” Saw the fish regularly meshed, and the dimension of the net was one inch from knot to knot. The small fish are “bridled,” not meshed, in such a net. He would not permit the small mesh in a draught net of any kind, or for any purpose, in the lough. He is opposed to draught nets altogether; he never knew them to be used for catching Salmon or Trout in the lough. Thinks that a draught net, such as Colonel Blacker speaks of,* for catching Dollaghan, could not be used at all without injury to the Salmon fishery, in waters frequented by Salmon Fry. He has in charge the Tyrone side of Lough Neagh, and was the means of seizing sixty odd set nets and four draught nets this year. The Salmon nets were two inches and the others were one inch and a half from knot to knot. Twenty-eight were taken at one time off the mouth of the Ballinderry river; they were all Salmon and Trout nets, and not fit for taking Pollen. Has more difficulty in the discharge of his duties about Portglenone than in any other place; the people there are more unaccustomed to restraint, and imagine they have a right to take fish illegally. In the year 1842 he was shot at while endeavouring to protect the fisheries: on that occasion the nets were set across the mouth of the river, and he went out to remove them. One water-bailiff was shot dead in 1842,
Close Season.	
Mesh.	
Illegal nets.	
Assaults.	

* See page 134.

in the district of Killimoon, near the Ballinderry river; the suspected parties were tried at Magherafelt, but were acquitted on an informality in the indictment. It is not usual for the water-bailiffs to go out armed, but it is quite so for the poachers. He provided himself with pistols since he was fired at. It is his opinion that by those above getting a share of the fish it would go far in softening the feelings of asperity which exists; such ought to be the result at all events. He has known very respectable and independent farmers to be engaged in poaching; their violation of the law does not therefore arise from want. He has known the owner of two mills and twenty or thirty acres of land to fish illegally; but it is very hard to detect the offending parties, in consequence of the disguises which they assume. The boats on Lough Neagh have neither names nor numbers.

Owen M'Alindon, sworn.—Lives at Barton's Bay, on Lough Neagh, in the county Antrim, and is a fisherman, possessing no land, and having no other employment. Follows the occupation of fishing all the year round. Has but one boat; it is neither lettered nor numbered, nor was he previously aware that such a thing was necessary. Sometimes two persons, and sometimes only one, fish in the boat with him; these have set nets of their own, and each man fishes for himself. He has one draught net, and gives the third of its produce to those who fish with him. He fishes for Pollen all the year round except when prevented by the weather. Does not fish for anything but Pollen, but might, however, get one or two Salmon in a season. Does not use the draught net for catching any description of fish except Pollen. In some seasons he catches half a hundred, and in others about twenty pounds weight of Trout. Makes about 1s. 6d. a day the whole year round, and uses from sixteen to twenty set nets to make this sum. Sells his fish on the spot to carriers, and gets from 2s. to 5s. for the *long hundred*, according to the take and size. He sets the set nets in the evening, and lifts them in the morning—at daylight in Summer; but in Winter they are left out all day and all night, and are fished every morning. They are set from two to six miles of shore, and in from four to eight fathoms of water. Each man sets his own net; they are sometimes placed in a line, one after the other, and sometimes not. They are about five or six feet deep, and three score yards long *when on the line*, but are *made* six score yards in length. In Winter they are set so as to reach the bottom, and in Summer they are placed midway between top and bottom. In shallow water they are sometimes set near the surface. They begin to set the set nets about the 1st July, and catch the greatest quantity of Pollen about Lammas; they use these nets from the 1st July to the beginning of March, but no Pollen could be caught in them from March to June. The draught nets are fished during the time last mentioned. The draughts are hauled into shore; they never sweep the middle of the lough with them, and then haul into the boat, because the draught net is of no use unless it goes along the bottom. The Pollen spawn on the flats and stony shores, and in from five to one fathom of water. They become large in pea and milt before Hollandtide; they do not go to the flats until about three weeks after that, and then in about a fortnight or three weeks all spawning is over, and they clear away into the deep water. The spents scatter very much through the lough, so that it is hardly worth while to look after them. The young Pollen are first seen in June; they are taken in the small bunt, but not in any number in June. There were more Pollen these few years back than there were for the ten years previous, and there never was any stop to Pollen fishing throughout the year until this season. If the fish were saved at the spawning time the supply would be increased and the fishermen benefited. He does not like the small mesh, and all the fishermen are desirous of having it changed. An inch mesh would take the Pollen effectually, and let the small fish pass through. The general run of the Pollen in his locality are about nine inches in length and half a pound weight. Three months of Close Season would suffice—October, November, and December; that is—the month before spawning, the spawning month, and the month after. There is no Eel fishery in the lake of any consequence; he never set a basket provided with bait for the purpose of catching that fish. For about six miles of the shore with which he is acquainted, there are about sixty fishers and twenty boats engaged in Pollen fishing. Most of these men are married and have families, and this fishery is the means of supplying an immense number of persons, cheaply, with food. There are weeks during which he would not make a single penny. Calm weather is the best for the Pollen fishery. The demand in the fresh state is always equal to the supply. He sells as many as he catches, and never salted any except in one season. He fishes for Dollaghan with bait and long line. There is no cross line or fly fishing on the lake that he knows. There are very few Salmon caught now on the lake; he has seen some taken in the draught net. Fourteen or fifteen years ago the Salmon used to be taken in great plenty. He caught but one last year, and there were but three taken altogether in about six miles of the coast. There are several people employed in making Pollen nets; they are paid from 2s. to 5s. for making a set net. The yarn is bought by the fishermen and given to the net maker. Some only of the fishermen's family make nets. A set or trammel net costs from 5s. to 10s., for the price of making varies according to the time of the season. The cost of a Pollen draught net is about £3. The nets are sunk by means of stones.

Francis Fforde, esq., sworn.—Has resided at Lough Neagh since his birth, and has been in the habit of fishing for Trout and Eel. Has attended the whole of this inquiry, and is of opinion that there should be a Close Season for the Pollen fishery, commencing the 1st October, and extending to the 12th February, or even the 1st March. If such a Close Season were fixed, the people would turn their attention to something else; and during that period, he would prohibit the use of any net or trap for the capture of fish, in Lough Neagh. He recollects when there was a considerable number of Salmon to be found

APPENDIX, No. II.

Lough Neagh.

Poaching.

Pollen.

Time of fishing

Profits.

Prices.

Position of nets

Time of fishing.

Spawning.

Pollen Fry.

Mesh.

Close Season.

Favourable weather.

Dollaghan.

Salmon.
Former abundance.

Close Season.

Salmon.

APPENDIX, No. II.

Lough Neagh.

Pollen.

Mesh.

Supply.

Number of boats.

in Lough Neagh. Remembers seeing six or seven taken on shore at one landing place in a day. May and June were generally the best months, and the Salmon taken were good sea fish, but now there were none at all to be had; there is in fact no such thing as a Salmon on his shore; and from the Bann foot to Lagan canal, he heard of but one being taken during the entire of last season. A very large number of families are supported by the Pollen fishery; it is a very important source of occupation, and as an article of food is important to the inhabitants for miles into the country. It is therefore extremely desirable that some arrangements should be made to regulate it. The small sized mesh should be abolished—it is extremely injurious. The period of which he spoke, as that at which the Salmon were plenty in the Lough, was about twelve or fifteen years ago; and there is a very considerable deficiency of all sorts of fish in Lough Neagh within his recollection. The Pollen fishery is open to all. He thinks the number of boats engaged in the fishery has been exaggerated by Mr. Quinn. There are fifteen or twenty about his part of the lake. At one time so much as £20 was offered for the exclusive right to one landing place for the fish.

The Coleraine inquiry terminated with the evidence of this gentleman.

No. 1.—Letter from COLONEL BLACKER to WM. T. MULVANY, Esq., on the “Pollen” and “Dollaghan” of Lough Neagh.

Carrick, Portadown, January 9th, 1844.

No. 1.—Letter from Colonel Blacker to Wm. T. Mulvany, esq.

SIR,—It being totally out of my power to attend in Coleraine (fifty miles from home) on the 22nd inst., I take leave to offer some suggestions connected with your mission to the north, confining myself, however, to Lough Neagh and the Upper Bann, with which long residence has made me well acquainted.

There are some peculiarities connected with Lough Neagh, which entitle it to special and distinct notice in any Act for regulating the inland fisheries of Ireland. There is no inland sheet of water with which I am acquainted, so abundantly teeming with fish of a nutritious and excellent description. This may be owing to the quantity as well as the variety of food brought down by the different rivers whose confluence forms it; the purity and general stillness of its waters, not being subject to sudden squalls, &c.; added to its shores being unsuited to the Pike, that great destroyer of fresh-water fish, whose habits lead him to the grass-grown and sheltered shores of rivers. The fish of Lough Neagh may be ranked, in a great degree, under four principal and different kinds. The Perch, which, if protected, grow to a considerable size; the Trout, averaging from one pound to fifteen pounds, and even twenty pounds weight—the latter, however, somewhat rare; the Pollen, or fresh-water Herring; and the Dollaghan—the two last-mentioned peculiar to this lake; at least I have never seen or heard of them being found elsewhere, though some people have classed the latter with the Char of England, in my mind without sufficient grounds. The Eel cannot be said to belong to the Lough, as they hold their course right through it, to the Lower Bann. Now the least care in preventing the premature taking of these fish would ensure the neighbourhood an unfailing supply, and afford employment to numbers of the lower class along the shore of Lough Neagh. The remedy is very simple; let no net be drawn in the lake, the meshes of which are not, at the least, one inch and a half between knot and knot. At present it is melancholy to see the quantity of Fry taken in the small mesh nets, and actually sold by measure, for the feeding of pigs. Over and over again have the fishermen expressed to me, that this system should be put a stop to; but, as long as *one* persist in it, the rest considered it a kind of self-defence to do so. A very few active keepers or policemen, to seize all illegal nets, and fine the owners, would soon bring things into order; and this, with a popularity which rarely attends the enforcement of any law, in Ireland. Once fairly begun, the fishermen would soon find the advantage of the check, to the extent which would render them anxious to aid in its being carried out; they are already fully sensible that it must have this effect. There are police stations in several places around the Lough, quite near enough to afford aid in carrying out the measure, and a few more might be established (even for a time) close upon it. All nets should be registered, at the nearest sessions; the same with regard to fishing boats, which should have their number, and the name of the owner, conspicuously painted on each. Added to these precautions, I would advise a special Close Season being fixed; during which, no fishing of any kind should take place in Lough Neagh, either by net or line; say, from the 20th October to the 1st February; this would particularly protect the Pollen, who spawn in November. All takers, venders, and above all, purchasers of Lake fish during this season, should be visited with a heavy penalty; and all constables, &c., be especially required, by law, to be active in detection.

Nothing in any enactment on this subject to be construed as giving any liberty of fishing, interfering with, or superseding any patent, grant, or proprietary right. Indeed, if the registered fishermen were obliged to have written permission from the landed proprietors along the shore, it might aid materially in carrying out what has been suggested.

In alluding to the Upper Bann, I have now merely to repeat what I before urged on the consideration of the Commissioners, respecting the Dollaghan. This fish has been classed with the Trout—in my mind, erroneously; their habits are quite different. The Irish word, pronounced “Dollaghan,” signifies a “fire fish,” or, more literally, “Dalk-cen,” is “little fire;” or, and perhaps with greater propriety, “Dalk-an,” “the fire flush of the stream,” derived from the exceeding redness of the fish when boiled. Lough Neagh is to the Dollaghan what the sea is to the Salmon. During the greater part of the year, it remains in the central depths of the lake, feeding along the bottom, out of net reach, and not rising, like the Salmon and Trout, at either bait or fly. About the middle of Autumn, it approaches the mouths of the Bann and Blackwater, (chiefly the former,) waiting the creation of a current, by the autumnal rains: and the moment this is perceptible, it makes up the river to spawn. Now, as this takes place just at the period when the Act closes the river against fishing, we, the proprietors, resident along the Bann, are prevented from taking, as formerly, an excellent fish then in its prime season, least, forsooth, a stray Salmon might be taken. Now, I have been in the habit of fishing the Upper Bann, along which my manorial rights extend for some miles, for more than fifty years, during which time, I can safely declare, I never saw a Salmon taken. I believe the fact to be, that the Salmon have all made good their passage, and reached the upper and

shallow parts of the river before the Dollaghan commence its run. These are matters of natural history, the truth of which long experience and observation have impressed upon my mind. Under these circumstances, my object is, that the Commissioners should, by one of those bye-laws which they have the power of making, allow us, proprietors along the Bann, a few weeks' power of taking these Dollaghan, say from the 10th September to the 20th October, providing as stringently as they think fit against taking Salmon. I do not imagine there are three or four proprietors likely or entitled to avail themselves of the privilege, and those may be relied on as not likely to abuse it; in fact, from what I have before stated, it will be seen that there is little chance of its being in their power. In conclusion, I have to regret that the purposes of your mission did not lead you to the southern extremity of Lough Neagh—say Lurgan or Portadown, in the vicinity of which towns you could obtain much information, especially on matters connected with the Bann and Lough Neagh. Hoping, however, that what I have now laid before you may not be without use,

I have the honour to remain, your very obedient servant,

Wm. T. Mulvany, esq., &c., &c..

WM. BLACKER, Lieut.-Col.

APPENDIX, No. II.

Lough Neagh.

No. 1.—Letter from Colonel Blacker to Wm. T. Mulvany, esq.

No. 2.—The PETITION of PETER REILLY, of Redbay, near Cushendall, County Antrim, to
WM. T. MULVANY and JAMES REDMOND BARRY, Esqrs.

Most humbly sheweth,

That Petitioner has been fishing about the shores of Redbay these forty years, as one of her Majesty's loyal subjects, and was opposed by Mr. Miller and the late Alexander M'Neill, esq., of Ballycastle, brought to trial, and acquitted. Petitioner, therefore, never yielded or submitted, but continued fishing Salmon occasionally about Glenariff river these seventeen years without control; until a James M'Auley and John M'Intosh, influenced by the aforesaid gentlemen, came illegally and without notice and cut away Petitioner's net from its moorings three different times, and a fourth time carried it away altogether, without the slightest cause, provocation, or insult. Petitioner took back his net quietly and set it up again, upon which Petitioner was brought before the bench of Magistrates at Ballycastle, who are connected with the proprietor of the lands adjoining the sea coast of Redbay, and therefore have an interest in the matter; was, of course, found guilty in the forfeiture of the net and the sum of £1. Petitioner appealed to the Quarter Sessions, and in the mean time summoned the aforesaid James M'Auley and John M'Intosh, for loss and damages, to appear before the same Magistrates, but they peremptorily refused redress to Petitioner. The Petitioner processed them to Quarter Sessions, but the Barrister said that the matter was not within his jurisdiction to try it. Then came on the aforesaid appeal, but the opposite attorney stopped progress until the Magistrates assembled, when they attempted to make it out to be a several fishery by prescriptive right, but could show no right, and therefore totally failed, as it was proved in court that Petitioner fished at said place these seventeen years. Notwithstanding, the Magistrates interfered and removed the proceedings thence to Ballycastle, and issued a levy warrant against Petitioner's goods for £6 3s., which amount he had to pay; and they also held the net, which was a legal one—not knowing for what. Not satisfied with all the above glaring plunder, they took, on the 31st ult., another net out of Petitioner's house, though it was a legal one also, thus robbing him of his just and lawful property. Petitioner is thus treated in the most illegal and unjustifiable manner innocently, for no cause save that of being an old fisherman honestly and lawfully supporting himself and family without any annoyance to any person.

Petitioner most humbly prays you will look into his distressed case and afford him some redress, and Petitioner, as in duty bound, shall ever pray.

PETER REILLY.

Redbay, January 21st, 1845.

Wm. T. Mulvany and J. R. Barry, esqrs.,
Inspectors of Fisheries.

No. 2.—Petition of Peter Reilly to Wm. T. Mulvany and J. R. Barry, esqrs.

No. 3.—PETITION of HERRING FISHERS, &c. on the Ballycastle Coast, to the
COMMISSIONERS.

To the Right Honourable and Honourable the Commissioners acting in execution of an Act of Parliament made and passed in the 5th and 6th years of the reign of Her present Majesty,—“An Act to regulate the Irish Fisheries,” at Coleraine assembled.

The Petition of the Herring Fishers, and also of other white fish, on the Ballycastle Coast,

Humbly sheweth,

We, the undersigned Fishers of Herring and other white fish on the Ballycastle coast, do humbly approach your Honourable Board with the fond hopes that your Honours will explain to us, in writing, if we can, as formerly, have the privilege of fishing with draught nets for catching Herrings and other white fish on any beach, shore, or waste ground adjoining the sea.

Your Petitioners most humbly approach your Honourable Board in saying that we, the undersigned, as well as many others, have been prevented from fishing with draught nets for the purpose of killing Herrings and other white fish, on the Ballycastle coast, since last May, by the water-guards of the Ballycastle station, and thereby are reduced to a state of pauperism and left without the means of supporting wives and large families; for the water guards of this station urge, that according to the Act referred to, there cannot be a net of any kind used for killing Herring or any other white fish within a mile of a Salmon net.

So now we humbly implore your Honours to allow us the information requested, viz., if we can kill Herrings and other white fish nearer than the distance alluded to.

And your petitioners, &c.

Ballycastle, January 18, 1845.

(Signed by Twenty-five fishermen.)

No. 3.—Petition of Herring Fishers to the Commissioners.

APPENDIX, No. II.

The Bann.

No. 4.—Resolutions passed at Ballycastle.

No. 4.—Resolutions passed at Ballycastle.

At a Meeting of the several persons interested in the Salmon Fisheries on the northern coast of Ireland, comprising the district between Larne and Portrush, in the county of Antrim, held at Ballycastle, in said county, on the 12th day of December, 1844,

Mr. HUGH DICKSON, of Ballintoy, in the Chair.

Resolved,—That that part of the Fishery Act should be so amended as to extend the Close Season from the 1st February until the 14th September, and that the meshes of the nets be four inches in the bosom instead of five, or two inches from knot to knot, for the following reasons:—

First, with reference to the extension of time, this meeting considers that the fish are always in good order during that term of time; and, secondly, that the fish that take the water at that early season are always unfruitful, and return to the sea without depositing their spawn.

And with reference to the contraction of the meshes, this meeting has found by experience that in the wide meshes the fish get entangled and are greatly injured, being hanged, as it were, in the net, and consequently are not so good or fit for market.

Resolved,—That it is the opinion of this meeting that some change should be made in that part of the Act which requires that the nets be brought on shore each Saturday night; that in some fishing places on this coast it is dangerous, and sometimes impossible, to comply with the Act, and that a clause requiring the leader to be stacked off, and the head poles lifted, to prevent fish from being taken, should be considered sufficient for the purpose of avoiding the killing of fish on the Lord's day.

Resolved,—That this document be transmitted to the Commissioners of the Board of Works, with deference and respect, requesting them to take the matter into consideration, and take such steps as the law directs to comply with the wishes of this meeting.

(Signed,) HUGH DICKSON, Chairman.

No. 5.—Letter from ALEXANDER MILLAR, Esq., in reference to the Ballycastle Fishery.

Dublin, 4th February, 1845.

No. 5.—Letter from Alex. Millar, esq.

GENTLEMEN,—With reference to the evidence I gave before you at Coleraine last month, touching the rights of the Boyd family to the fishery at Ballycastle, and particularly as relates to the inquiry, whether Mr. Boyd claimed a several fishery in the rivers of Glenshesk, Carey, and the Low Water, I have to request you will be good enough to append to that evidence, that I consider, on reflection, that Mr. Boyd may claim a right to such several fishery, inasmuch as he and the person acting under or deputed by him have for many years appointed water-bailiffs and keepers to protect the fish in these streams, whence the supply for the Ballycastle fishery may most naturally be considered to arise. As the receiver under the Court of Chancery for the rents of this estate, I am desirous of not omitting anything to support the rights of the property, and therefore make this request, which I hope you will comply with.

I am, gentlemen, your obedient servant,

To Messrs. Mulvany and Barry, Custom House, Dublin.

ALEXANDER MILLAR.

No. 6.—Angling Regulations on the River Bush.

No. 6.—Angling Regulations on the River Bush.

The angling of that part of the River Bush, in the County of Antrim, lying between the cutts at the sea and the Salmon Leap will be let, (subject to the regulations and terms hereafter mentioned,) from the 12th March until the 12th August, in each year.

An opportunity will be given the Salmon of passing the cutts, and as few as possible will be allowed to pass the new weir at Bushmills; consequently that part of the river cannot fail of being always abundantly stocked; and from the sport it has hitherto afforded, when every means were used to take the fish at the cutts, at the sea, an idea may be formed of what it is likely to be in future.

To persons unacquainted with the river, it may be necessary to state, that it runs through the town of Bushmills, well circumstanced as to hotels, and about one mile from the Giant's Causeway, where an extensive and well-appointed lodging-house has just been established.

Tickets of permission may be had, and any further information obtained, on applying to Mr. James Scally, Bush fishery, Bushmills.

1st March, 1837.

REGULATIONS.

The person intending to angle will first obtain a ticket of permission, which he will produce to one of the keepers, who will attend on him, and have the care of all Salmon taken, and the angler will have the option of keeping the whole, or any part of the produce of his sport, on paying market price at the fishery for the same.

No instrument to be used, or Salmon taken in any manner but by angling rod, line, and fly; and Trout or small flies are not to be used when the Salmon Fry are on their passage to the sea.

No attendants will be permitted to accompany anglers on the river but the regular keepers, and they will be paid at the fishery; and no tax whatever on anglers, which formerly amounted to what (with a much more certain prospect of sport) is now charged for tickets of permission.

Terms:—By the day, 5s.; week, £1 1s.; month, £3 3s.; season, £6 6s.

No. 7.—Produce of the Berne Rock and Strand Fisheries, near Portstewart, County Londonderry, for 1844.

No. 7.—Produce of the Berne Rock and Strand Fisheries.

Berne Rock Fishery, 1844.				Strand Fishery, 1844.			
	Salmon.	lbs.			Salmon.	lbs.	
May,	34	381		May,	10	108	
June,	267	1,836		June,	203	1,498	
July,	956	6,427		July,	622	4,485	
August (18th),	536	3,935		August, to 16th,	477	3,513	
Private Sale,	115	750		Private Sale, about	100	700	
Total,	1,908	13,329			1,417	10,304	

Coleraine, 23rd January, 1845.

S. W. KNOX.

No. 8.—Petition from Fishermen of Sandy Bay to the Commissioners.

To the Honourable Her Majesty's Commissioners of Fisheries in the North of Ireland.

We, whose names and marks are here subscribed, being fishermen of Sandy Bay, and its vicinity, Lough Neagh, respectfully appeal to your clemency in our present destitute condition.

Having heard that you have the power of regulating the size of the meshes of the nets, we would earnestly solicit its exercise in diminishing the size thereof, so far as to enable us to catch the Pollen; having enjoyed the privilege of fishing from time immemorial, and it being the only means of subsistence which many of us possess.

And your petitioners feel fit a peculiar hardship that their interests should be affected by the operation of this Act, as it is not generally enforced on the waters of Lough Neagh.

Sandy Bay, January 14th, 1845.

(Signed by Twenty-nine fishermen.)

APPENDIX, No. II.

No. 8.—Petition from Fishermen of Sandy Bay to the Commissioners.

EVIDENCE taken before Wm. T. MULVANY and J. REDMOND BARRY, Esqrs., at DROGHEDA, MONDAY, JUNE 9, 1845.

SUBJECT OF INQUIRY.—THE RIVERS BOYNE AND BLACKWATER, AND ALL THEIR TRIBUTARIES; THE RIVERS FANE, GLYDE, AND DEE, AND ALL THEIR TRIBUTARIES; AND ALL OTHER SALMON RIVERS AND THEIR TRIBUTARIES, TERMINATING ON THE COAST BETWEEN HOWTH HEAD AND BALLAGAN POINT, SOUTH OF CARLINGFORD LOUGH. THE FISHERIES OF HOWTH, MALAHIDE, SWORDS, SKERRIES, BALBRIGGAN, AND DUNDALK, AND ANY OTHER SALMON FISHERIES ON THE COAST BETWEEN HOWTH HEAD AND BALLAGAN POINT AFORESAID.

Mr. Upton said he was authorized to announce to the Commissioners that the wishes of the parties interested in the fisheries of the Glyde were, that no alteration should be made in the present Close Season for that river. Season.

Mr. Coddington expressed his opinion that the size of the mesh should be diminished. Mesh. All the Trout escape through the present mesh, and there were not more than a dozen caught in his fishery last season. The Trout do not run till the end of June or the beginning of July, and he considered that a net of a small mesh might be permitted at that time without prejudice to the Salmon fisheries.

RIVER GLYDE.

Patrick Carroll, sworn.—Is a fisherman, holds no land, and lives at Milestown, Castlebellingham. Fishes the river Glyde for Mr. Wolsey from before Milestown House, about 400 perches down. The earliest time he ever fished was the 1st February, but he caught none at that time. The earliest time he ever caught fish was about the 17th February; before the late Act they used to fish on to September. The best run of fish is in August and September; the September fish are in pea, but they do not change colour until they are some time in the fresh water. They catch very little fish at present; they took but one Salmon this month. The breadth of the river averages from forty to seventy feet: they use draught nets, which they haul in on the banks. The time the battery was thrown down, and left prostrate for two or three years, there was the greatest fishing he ever knew. They could not haul in their nets in consequence of the weight of fish in them: this was about twenty years ago, and he himself caught £80 worth in one season at that time. They fished at the Annagassen mills then, and they had good fishing when there was a fresh in the river. The last was a bad fishing year; their entire take did not amount to 100 fish. Mr. Stafford fishes below Mr. Wolsey; another person fishes at Annagassen, and there is a third fishery above at Castlebellingham. They agree to fish on alternate days, so that he fishes for Mr. Wolsey three days in the week. The Close Season has been observed since the late Act. There had been a weir at Castlebellingham bridge, but it is now removed. Four nets work between Castlebellingham and the sea on the Glyde, and three on the Dee. Angling is more destructive to the Fry than net fishing; he has seen bag fulls of Fry taken by the rod. The Fry go down from the middle of April. The spents go down generally before the 12th February; the great bulk go down between November and Christmas, and sometimes, but very rarely, they are going down in April and May. He did not see one last year in the month of May. When he commences fishing he sometimes catches an odd spent, but he always returns it to the water. There is no water-bailiff on this river. He has frequently seen the Fry destroyed, and he did not prosecute the parties who were guilty of this destruction, because he did not think it was his business to do so.

River Glyde.

Fishing time.

Best months.

Comparative produce.

Number of nets.

Destruction.

Migration.

Mr. Hugh Stafford, sworn.—He fishes about one mile of the river Glyde three days in each week. The Close Season is generally observed on that river; but he saw the Weekly Close Time violated once or twice last year. He wishes for no alteration in the season at present fixed. The gross sum received for the produce of his fishery in 1843 was £99; and beside that, there was about £20 worth of fish used in his house and given in presents. The price he receives varies from 4d. to 2s. 6d. per pound; it is never lower than 3d. The Salmon Peal come into the river at the end of June, and are taken there from that time to the end of August or September. The great bulk of the spents go down in

Observance of Close Time.

Season.

Produce.

Price.

Migration.

APPENDIX, No. II.

River Glyde.

Best years.
The Dee.
Produce

February and March; he has seldom seen one in June or July. Means have been taken to protect the spawning beds by two or three gentlemen interested. The person who fishes above him does not take so much as he. He is of opinion that the fish spawn at Castlebellingham. The present year is the best he has ever known; there has been an increase of £10 over former years up to this time; and they expect good fishing to the end of the season. There is a water-bailiff on the river Dee; witness has also a net fishery on that river, which yields about £70 a-year. There is no difference between the fish of the Dee and the Glyde. The Dee is better than the Glyde from this part of the year out; but the Glyde is better in the early part.

Rent.
Produce.

Destruction.

Horse nets.

Comparison of years.

Thomas Casey, sworn.—He lives at Annagassen, and fishes below the tail-race of the mill, but not between the walls at the wheel; before the late Act he used to fish up to the wheel. He also fishes about half a mile of the Dee; and from the junction of the Glyde and Dee to the sea. They draw their nets on alternate days with Sir Alan Bellingham. He was not allowed to draw his net in the tail-race since the 8th May. He rents the fishery from Mr. Thompson, and pays him £10 a-year for it; he never made £100 in the year of it. He fishes with long lines or spillards in the Winter time; 500 or 600 hooks are attached to each line, and the line is spiked down at both ends. He does not pay anything to protect the river, nor does his landlord either. His only object is to catch the greatest quantity of fish he can. There were tons of Salmon Fry destroyed by rods at Annagassen this year; he did not prosecute the parties, because he did not think he could do so. Horse nets are usually drawn here. These are nets of eight inch mesh, and sixty or seventy yards in length; they are drawn with two horses at low water, and they take immense quantities of Fry. They are drawn in the Close as well as the Open Season, and take every description of fish that comes in their way. They have not been used as yet this year; but he supposes they will be as usual. He fishes below the bridge and in the river. Sir Alan Bellingham owns one side, and Mr. Thompson the other; they draw on alternate days. He cannot tell the gross produce of the fishery; it has been better this and the last year than it was before. When there are high floods he cannot catch any fish at the place he fishes; the fish then all go up beyond him.

THE FANE.

The Fane.

Late river.

Rent.
Seasons compared.
Best months.

Season desired.
Migration.

John Elphinstone, sworn.—Lives at Blackrock, and fishes below the bridge of Lurgan Green. There is a fish house there with iron bars; the fish go in between the bars, and then they take them up with a sort of hoop net. They did not catch any fish this year until the 2nd April; last year the 17th March was the earliest time. This is a very late river. There is a stake weir below the Trap; but they take the fish earlier in the Trap than below. Before the late Act they used to stop on the 29th September, but he could not say that any Close Season was observed. He pays £20 a-year to Mr. Fortescue; and makes from £28 to £35 a-year. This and the last year were the worst he has had; but this season was better than the preceding one. August is always the best month; the fish fall off towards the latter end of September. The pea is scarcely noticeable in September; he wishes to fish to the 20th of that month. The bulk of the spents descend in May, and the Fry commence to run down at the latter end of April. There is only one fishery above him; it is at Channel Rock above Stephenstown.

RIVER BOYNE.

River Boyne.

Spents.

Season desired.

Spawning.

Mode of fishing.

Impediments.

Season desired.
Spents.

John Kirkwood, sworn.—He is a gamekeeper on the Black Castle property near Navan; and has been in that service nine years. He has angled for the last six years, and he never took a fish before March, except once when he caught one the 14th February; he caught none this year until the 1st April; he attributes this to a want of floods in the river. He killed a fresh run fish the last day of the season last year; but he never caught one so late as the 20th August before. They can only fish at his place when there are sharps or currents. He wishes for a change in the season, because the spent fish do not get down early; and there is great destruction of them in February and March both by rod and net; he himself has hooked so many as ten spents in one day in February, and he, therefore, considers that February should be included in the Close Time. He would have the Open Season commence on the 1st March and continue to the 1st September; and he would have the Trout and Salmon Season close at the same time. He has seen the fish full of spawn and on the spawning beds in September; these were the early fish which had run up in January or February. Twenty stone of fish was the most he ever killed in a season with the rod. He does not now fish with nets; but before the late Act he was in the habit of using a trammel net. There are no nets used in his vicinity, nor any nearer than Captain Lambart's property. The river is not suitable for nets; it is very stony and uneven. He has not used a net, because he is aware that no one except the owner of a several fishery can do so, and the chartered rights of the gentleman for whom he fishes are not clearly established. He cares two miles of the river. There are impediments on the Blackwater above him at Skelly's mill and the old paper-mill, about half a mile from Navan. The dam constructed by Mr. Lambart at the flax-mill is quite effectual for the passage of the fish, and the sluice is regularly drawn on Saturday nights.

William Malone, sworn.—Is lessee of the Old Bridge weir, and wishes for an alteration in the season to one beginning the 1st January and ending the 1st September. He has seen spent fish in January and February, but they are going down in the greatest quantities in April and May. There are very good fish taken in the month of January.

This has been a good fishing year with him at Old Bridge, for the water was low, and the fish could not go far up. Before the late Act, he was in the habit of taking fish all through the year. There is a run of good fish in September; they are about equal good and bad in that month, but they take more good than bad up to the 1st September. He has never kept any account of the produce. He pays £150 a year for the fishery. Has done better this and last year than when allowed to fish all through the year. He has observed the Close Season since the late Act, and thinks there has been an increase in the fishery in consequence of this observance. Twenty years ago the fishery was better than at present, but the last two years have been better than the eight or nine preceding ones. He is of opinion that all would agree to have the season from the 1st January to the 1st September. Is quite satisfied with the size of the mesh for taking Salmon, but considers it advisable to have a five inch mesh for the capture of Trout; such a mesh might be allowed to be used from the 1st July to the latter end of August. The weight of their Salmon is from four pounds to twenty pounds; seven or eight pounds may be considered the average. The Trout are from one pound to four pounds. He only took a few dozen of Trout since the large mesh was introduced, but before then he used to take some thousands in a season. The Salmon Fry would be all gone down when the Trout net which he proposes would be used. The Trout was better some years than the Salmon fishery; when they had not one they had the other, and the loss of the Trout is a very great injury indeed. The large sized mesh might be used up to the 1st July, and the small one—one and one-fourth inch from knot to knot—from that out; this regulation would give general satisfaction.

Patrick Owen, sworn.—Is a fisherman, and fishes with seine nets at Baltray. They had very bad fishing these two or three years, in consequence of the largeness of the mesh. The present mesh can catch nothing but good sized Salmon, all the Trout escape, and the Trout was formerly their principal fishery. He has been fishing these fifteen years, and he would not know the difference between a Salmon Fry and a White Trout. One and one-fourth, or one and a half inch mesh, would be best suited for the fisheries. They never used a mesh of less size than one and one-fourth inch from knot to knot; such a net would not catch Salmon Fry. August is the best fishing month, and they would therefore wish for an extension of the season to the 20th September. The fish are very good up to that time. Down where they fish, the good are more numerous than the bad up to the 1st September. He would not wish the season to commence before the 12th February; they could not fish in the estuary before then, for the water is too cold. The fish are certainly getting a little red in September. They used to catch four times as much fish formerly than they do now; in fact, a man might as well beg as continue fishing with the present mesh. They usually make only two or three hauls in a tide; the most they can make is four, for the tide is too strong where they fish.

Bernard Finglass, sworn.—Is a fisherman twenty-eight years. He agrees with all the last witness said, except that he could not distinguish between Salmon Fry and white Trout. When he was in the habit of using the six inch mesh he never caught any Salmon Fry, except when tang or sea-weed got entangled in the net. This mesh would catch all the sizeable Trout, and allow the Salmon Fry and very small fish to pass through. From Tom Roe's Point down to Beaulieu there are loose stones laid by the Boyne commissioners, and great destruction of Fry takes place there: when the tide comes in the Fry enter through a gap way which is there, and when the water falls they are left dry inside in immense quantities. He has seen cart loads of them there, and the sea fowl devouring them. This was in May and June. He thinks there is a mile of ground thus situated on the shore, and the evil could be remedied by having the loose stones laid in such a way as that the tide should flow back through the channel through which it came. He fishes from the Packets to Tom Roe's Point. The Fry are in the river up to August; he has known them to come down and return again in schools; they used not to be taken in the old nets. Salmon are good till the 15th September. An odd one may be bad at the latter end of August: he fished last year up to the 17th, and he did not get one fish that had changed colour. The season ought to be extended to the 15th September. There are Swans on this river, and he has frequently seen them devour the Salmon Fry. The fish are getting very scarce: there are nine boats fishing down in the tideway, and during the last seven days they caught but two Salmon and one Trout between them. They have better fishing when the wind is easterly than when westerly, because when the wind blows from the east the fish drop down from Old Bridge; the west wind keeps them up. In their fishing the last boat on the line generally takes the most. The number of boats here has not increased latterly; there are nine boats at his place. A badly made seven pound fish would go through the present mesh. April and May were pretty good this year, but the produce since would not pay the men who help him. He used formerly catch about £32 worth of fish in the year, but up to this time this year he has only caught £11 worth: this is less than it was to the same time last year. He began to fish the 20th April; the best time is the month of August. He is generally more successful in fishing than the others. He caught 130 Salmon last year of an average weight of eight pounds. The Trout was more valuable than the Salmon fishery when they used the small sized mesh, because they killed some every tide; now in seven days he did not kill one. A poor man could not afford to have two sets of nets—one for Trout and the other for Salmon. A net costs £6; his is ninety yards in length, and the general length is from eighty to ninety. He would recommend a six inch mesh for both Salmon and Trout during the entire season. A seven inch mesh would let a two pound Trout pass through, and the general run of Trout are

APPENDIX, No. II.

*River Boyne.*Former fishing time.
Rent.Observance of Close
Season.

Mesh.

Mesh.

Best month.

August fish.

Season.

September fish.

Decrease.

Destruction of Fry-

Fry.

Season desired.

Number of boats.

Former produce.

Best month.

Produce.

Mesh.

APPENDIX, No. II.	one pound and a half, two pounds, and three pounds weight. He would rather have a seven inch mesh the entire season than one of eight inches to July, and six after that. He would as soon have the seven as the six inch mesh. He cannot say that the Gas Works here do any injury to the fishery.
River Boyne.	
Weirs on the Boyne.	<i>Patrick Duggan</i> , sworn.—Is water-bailiff to the Boyne Fishery Association, and is acquainted with the obstructions on the river between Drogheda and Slane. Knows the Old Bridge weir; a change has been made in it since 1842: the gates have been widened, and the bars, instead of being horizontal, are now perpendicular. The bottom of the Queen's Gap has also been deepened; some sand has been removed from it, and as far as he can understand, the weir is now in strict conformity with the Act. The Stanlon, Ballanacree, and Roughgrange weirs, alluded to in the Fishery Report of 1836, are not now fished, nor are they impediments to the free passage of the fish. Some persons fished in the mill pools of Stanlon in April last, and were fined for it. He only knows the weirs on this river since 1842. The weir at Rossnaree West is now fished; changes have been made in it since 1842, conformably with the Act; but the islands and spur walls are still a serious obstruction, and could be removed without prejudice to the mill power. Rossnaree is eight miles from Drogheda along the river, and five by the road: one of the doors at this weir has been left for a Queen's share. Rossnaree East is not fished; no change has been made in it, and he has heard that the walls are a serious obstruction. The navigation wall at Old Bridge is also an impediment in dry weather, but the wall at Slane is the worst obstruction on the river. He has heard great complaints among the fishermen about the size of the mesh and the Close Season. He would substitute a seven inch mesh generally, through the season, and is of opinion that it would be best to commence fishing on the 1st January, and continue till the 1st or 12th September. There are not more spents than good fish in January, and any one who would meet with a spent would return it to the water. The loss which the poor fishermen sustain from not being able to catch the Trout is incalculable. The Salmon are as good to the 20th August as before, but those which are a long time in the river are turning brown. There are nine fishing boats at Drogheda; their crews are generally men of families, and have no land.
Mesh.	
Season.	
January fish.	
Pike.	<i>John Connell</i> , sworn.—Is a fisherman, and well acquainted with the Boyne. The Pike are very numerous in this river, and they destroy more Fry than all the other means of destruction put together. He heard of one from forty to fifty pounds weight having been killed near Old Bridge last week. He is certain that they devour immense quantities of fish, and this evil would be effectually prevented if the poor people who were working all the week were allowed to fish with rod and line on Sundays. When they had liberty to angle on those days they used to take great quantities of Pike, but now the river is overrun with them, to the great injury of the fishery. It is the water-bailiff, Duggan, who prevents the people from angling on Sunday.
Prohibition to angling.	<i>Patrick Duggan</i> , recalled.—Has been in the habit of preventing persons from fishing on Sundays, and would summon any one whom he found doing so; he means to say that he would summon a person for angling on Sunday as well as any other day, unless he had a written permission.
Best season.	<i>John Connell's examination continued.</i> —He quite agrees with Malone, that the present mesh is too large. He would rather have a seven inch mesh for the entire Season than a larger one during part, and a smaller one at the latter end of the year. He considers that the best season would be from the 12th February to the 1st September. An odd fish begins to turn about the 1st September; but they are excellent up to the middle of that month.
Destruction of Eels.	He finds a great deal of Eels dead in the river, and supposes that they are destroyed by gas tar. He does not think gas tar injures floating fish, such as Trout or Salmon; for on one occasion he took some Trout and put them into water mixed with gas tar; he left them there all night, and in the morning they swam away quite uninjured. The tar floats on the surface of the water, and the grounds or dross cement with the mud at the bottom, and thus injure those fish that creep along the bottom. Although he is fifteen or eighteen years on the water he never saw Salmon Fry destroyed in the manner described by Fin-glass, between the piers and loose stones from Roe's Point.
Gas tar not injurious.	
Decrease in produce.	<i>Mr. Walter Johnson</i> , sworn.—Is lessee of the weirs and mill at Rossnaree West; they have been in the family these fifty or sixty years. Alterations have been made in this weir since 1836; one of the doors has been opened for the purpose of forming a Queen's share; the passage made is about eleven or twelve feet wide. Since this change there has been a reduction of fifty per cent. in the quantity of fish caught. The system of gaffing carried on at the Slane mills has also caused a decrease in the fishery. He uses sweep nets of eleven inch mesh: this wide mesh is necessary at his fishery, as there are none there but large fish. He has heard that the wall at the Slane mills has been of serious injury to the general fishery of the Boyne. The Fry come down at the end of April and during May; the spents in March, but scarcely any in January. October and November are the spawning months. Is of opinion that the 1st January is the best time to commence the season. The fishery has decreased since the navigation wall was built at Brow by the Board of Works; he considers that wall an impediment. In his father's time more than 1,500 Salmon have been caught in a season at Rossnaree. The following is a correct account of the quantity of Salmon taken at the weir for the years 1799, 1800, and 1801, and for the years 1842, 1843, and 1844. During the early years the price was 7s. per Salmon up to Easter Sunday, and 4s. per Salmon for the remainder of the season:—
Obstructions.	
Migration.	
Spawning.	
Obstruction.	

APPENDIX, No. II.

River Boyne.

1798.	Salmon.	Caught in the weir.
December, 1799.	16	
January,	32	"
February,	48	"
March,	285	"
April,	266	"
May,	152	"
June,	7	"
	806	Total in weir.
	367	With nets.
	1,173	Total for season.

1799.	Salmon.	In weir.
November,	13	
December,	23	"
1800.		
January,	58	"
February,	209	"
March,	138	"
April,	203	"
May,	322	"
June,	12	"
	1,078	Total in weir.
	425	In nets.
	1,503	Total for season.

1800.	Salmon.	In weirs.
November,	18	
December,	78	"
1801.		
January,	138	"
February,	267	"
March,	433	"
April,	118	"
May,	9	"
	1,061	Total in weirs.
	398	In nets.
	1,459	Total for season.

1842.	Salmon.	Price per lb.
		s. d. s. d.
January,	3	1 10 to 2 0
February,	34	1 2 - 2 0
March,	98	1 4 - 2 2
April,	123	1 0 - 1 6
May,	24	1 0 - 1 3
July,	35	0 5 - 0 8

317 Total for season.

1843.	Salmon.	Price per lb.
		s. d. s. d.
January,	6	1 3 to 1 8
February,	18	1 6 - 1 8
March,	63	0 9 - 1 3
April,	24	0 10 - 1 4
May,	10	0 8 - 1 0
June,	8	0 6 - 0 8
July,	3	0 6
August,	3	0 5

135 Total for season.

1844.	Salmon.	Price per lb.
		s. d. s. d.
February,	5	1 6 to 1 8
March,	29	1 0 - 1 10
April,	12	0 10 - 1 4
May,	2	0 10

48 Total for season.

Mr. John H. Hudson said that he was interested in the Boyne fishery; and would wish for a season commencing the 1st January and ending the 12th September. They do not commence to fish below until the 12th March. £100 would effectually remedy the Slane weir. Season desired.

ROSSTREVOR, THURSDAY, SEPTEMBER 4, 1845.

The Rosstrevor inquiry had reference to the state of the fisheries on the coast between Ballagan Point and the southern point of Strangford Harbour. Deputations attended from the towns of Newcastle and Dundrum, in order to convey to the Inspectors the wishes of the several parties interested in the fisheries of these places. Mr. Hunter, agent to Lord Annesley, stated that it was the unanimous desire of all parties that the fishing season should be extended to the 1st September, and that trawling should be prohibited within certain limits in Dundrum Bay. He also complained that encroachments were perpetually made on the rights of Lady Annesley in the river Shimna, which passes through Tollymore Park and enters the sea at Newcastle; and strongly urged the necessity of defining the mouth of that river. Other gentlemen from Dundrum and Newcastle concurred in the statements made by Mr. Hunter, and expressed a strong desire for an extension of the season to the 1st September, averring that the spawning does not commence till after that period. Extension of season.

There was no sworn evidence received at this inquiry, the Salmon fisheries of the locality being very unimportant; but the Oyster fisheries formed the chief subject of conversation; and Mr. Mulvany explained the nature of the late enactments on the subject, with a view to encourage the formation of artificial beds in Carlingford Lough.

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at STRANGFORD, FRIDAY, SEPTEMBER 5, 1845.

J. P. Maxwell, esq., having been sworn, deposed, that there was an obstruction to the free passage of the fish on the Downpatrick river, at a mill weir belonging to Mr. Henry. The Obstruction.

APPENDIX, No. II.

Downpatrick River.

Destruction.

Season.

The Gilpin.

weir was so constructed as to form a complete barrier to the progress of the smallest Trout. Salmon could not get up to spawn, and if they did succeed they could not again descend to the sea. He possessed the sole right of fishing on the river, and was formerly in the habit of taking from thirty to forty Salmon in a haul with the draught net, but now he does not take seven in the entire season. About twelve years ago Mr. Henry came to him and asked him to forego his exclusive right, in order that a fishing company might be formed. He refused to do so, but offered to suspend it if he got a sufficient quantity of fish. The company was not formed, but the weir was constructed in the manner which makes it now the subject of complaint. There is no protection whatever on the river, and the breeding fish are destroyed in vast quantities. Under the present circumstances it would be desirable to keep the Close Season as it is, although he is of opinion that it terminates too soon. There are no Salmon taken in the lough except what are going into the Downpatrick river. The Salmon of this river are hard and lean, and of a very inferior description.

It was strongly urged by several parties present, that the fisheries of Strangford Lough were in rapid progress of deterioration, in consequence of the destruction of a small kind of fish called "Gilpin," at the mouth of the lough, by nets of a very small sized mesh. It appears that this fish, originally little larger than a Sprat, when permitted to increase in size, becomes more valuable, and is, in its next stage, called "Blocken." It finally progresses to a very large size, and becomes the "Black Pollock," or, as it is called on the coast of Waterford, the "Glassen." Vast numbers of very poor and industrious persons derive a livelihood from the capture of this fish in its earliest stages, and it constitutes an important article of food for the humbler classes. The gentlemen who most strongly felt the necessity for restraint, acknowledged the propriety of great deliberation before any restriction should be determined on; and they received an assurance that the subject should be attentively considered by the Commissioners. Specimens of the fish in their various stages were produced, in order that the opinion of eminent naturalists might be had, it having been asserted by several persons that they were quite a distinct species—that the Gilpin was of the nature of a Sprat, and did not increase in size.

The remainder of this inquiry was entirely conversational, and referred to the facilities possessed by that locality for the formation of artificial Oyster-beds, the various improved modes of fishing, the necessity of strictly observing the Close Season, and finally the nature of the more important sections of the amended Act of last Session, 8th and 9th Victoria, cap. 108.

EVIDENCE taken before WILLIAM T. MULVANY and J. REDMOND BARRY, Esqrs.,
at LARNE, SATURDAY, SEPTEMBER 6, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF LARNE, GLENARM, RED BAY, AND CUSHENDALL.

Fishing time.

Produce.

Bag and draught
nets

System of protection.

Produce.

Observance of Close
Time.

Mesh.

Peter Reilly, sworn.—Lives at Glenarm, and has been in the habit of fishing at Waterfoot. He generally began to fish on the 17th March, and continued to the end of August. Before the introduction of the bag nets he used to take from fifteen to twenty Salmon at one haul in the spring time; but since their introduction he has not gotten so much. He has never kept an exact account of the quantity of fish which he took in a season. When Hector came to that part of the country first, witness fished two seasons with him. He is not aware of how much Hector caught in his bag net in the year, but it was certainly much more than he did with his draught net. There was no protection given to the fisheries at that time; but when he fished the Cushendall river, he protected it most effectually, by cautioning the people and making friends of them; and he is of opinion that, without any assistance, he could preserve a river better than all the police and water-keepers put together. The plan he adopted was this:—"There was one time," said witness, "that I caught some people killing fish in the Close Season, and I summoned them before a magistrate. The day came on for hearing the summons, and they came to me and said, that if I let them off, and not go against them, I wouldn't lose anything by it. So I considered that the best thing to do, and I did not appear. They all then collected together, and went into a house, and had half a pint of whiskey, and they gave me their hand that they would never destroy a fish again. And I said to them, that whenever there was a wedding, or a funeral, or a person sick, or a breeding woman, that really wanted a bit of fish, if they came to me, and asked my leave—for leave was light—I would allow them to take three or four or five fish, if they wanted it; and after that, when any of them went along the river, they would be ashamed, not only of me, but of their neighbours, to do anything wrong. That is the only way to preserve a river; for if you go on summoning and summoning, the people will do all they can to destroy the fish." In former times he always ceased fishing late in August. He fishes with bag nets at present, but caught very little this year; in fact, merely what Mr. Cuppage consumed. Observed the weekly Close Time in his bag nets, but he has seen the bag nets of other persons in fishing order on Sundays. For the observance of the weekly Close Time he takes all his net in; this he finds to be an advantage, because it is necessary to wash the net occasionally. Is quite aware that the coast guard and the police can, by the late Act, seize the nets not observing the weekly Close Time; and he considers that the existence of such a power is calculated to enforce the observance of that season. The present mesh of one and three-fourth inches from knot to knot, is well suited for the fishery. He has been in the habit of preserving his

nets with a solution of catechu, which he finds to answer much better than anything else he has tried. The flax water is always allowed to run into the Glenariff river, and the fish are afraid to go into the river until this water has all disappeared. The Open Season should, in his opinion, extend to the 1st September.

John Kane, sworn.—Lives at Glenarm. Is a fisherman, and fishes for both Salmon and White fish. He is the owner of three bag nets; one is set at Carnlough, another at Stredkelly, and the third at Glenarm Bay. He has been in the habit of commencing to fish on the 12th February, and ceasing at the latter end of August. Usually the beginning of the year was the worst part, but this year the early fishery was very good. One season Hector tried the bag nets at Mill Bay, four miles south of Glenarm, and he succeeded very well, but the fishery of Glenarm Bay did not pay this year. Complaints of trammel nets, floated with corks, being set in the sea both by day and night. They are set for the purpose of catching Lythe, Glassen, and Black Pollock, but he is of opinion that they are also calculated to take Salmon; and, if set between Larne and Glenarm, that they should do so. Trammel nets have been used in this locality as long as he can recollect. Witness is anxious for an extension of the Open Season to the 1st September, as the fish caught all through August are in fine wholesome condition, and there would be a sufficient quantity to go up to stock the river after the 1st September. The bed of the Glenarm river is very hard, and there are very few breeding places in it. He fishes with both long lines and draught nets. He has frequently taken five or six tons of Pollock in a night, but now they are prevented from fishing for them either with a small sized mesh or during the Close Salmon Season, when they often run in great abundance.

Mr. MULVANY observed that there was no law or regulation to interdict the use of the smallest sized mesh for taking *White fish*; the limitation to the size of mesh had reference only to the nets used for the capture of Salmon, and fish of the Salmon species.

John McAuley, of Ballygally, stated that he also had been prevented from fishing for White fish during the Close Salmon Season, and with a small sized mesh.

John Kane's examination resumed.—There is no trawling on this part of the coast, and the long lines are set out about four miles, on a line with the "Maidens." There are no Oysters in this locality. He had not an opportunity of seeing whether the weekly Close Time had been observed in the bag net fishery, but he himself invariably obeyed the law.

James McAuley, sworn.—Lives at Cushendall, and fishes for Salmon and white Trout in Cushendall and Red Bays. He has two bag nets; he has been fishing with this kind of net these six years, and pays Mr. McNeill of Red Bay £25 a year for the bag net fishery. He has been fishing near Waterfoot these six years; the bag net is set near the mouth of the river. Both Reilly and Hector fished there before him, and he believes that they also paid rent to Mr. McNeill, who owns the land from which witness fishes. Hector was the first person who fished there, but they have regularly continued the use of the bag net since his time, which is about ten or twelve years ago. Before that time Reilly and his father fished this place with draught nets.

Peter Reilly stated, that his father paid rent for this fishing place, but he fished it after Hector, and paid no rent.

Examination resumed.—There never was a fishery at the south side of the river until Hector came. They used to commence fishing about the 1st January, and continued the whole season on; now they begin on the 12th February. He considers that the fish which he takes are from different rivers, in consequence of their difference of shape. There was a bag net at Cushendun this year; the leaders of the bag nets have most commonly been lifted during the weekly Close Time. He himself observed the law, and he heard that others did the same. He is desirous of being allowed to fish on the 20th September, as was his custom before the late Act; and he is of opinion that the fish which go up in the early part of September and the latter end of August, are not allowed to breed. There certainly is pea in the fish from the 1st August, and he is aware that after that time he would kill many of the parent fish. There is no pier at Cushendall, nor a single landing place on the entire coast between Larne and Portrush. The following is a correct return of the quantity of fish taken at Red Bay and Cushendall, in his two bag nets during 1843, 1844, and 1845. The fish mentioned are all good and sound, and the return contains all that were taken, except a few which he sold at his house:—

	1843.		1844.		1845.	
	No. of Fish.	Gross Weight.	No. of Fish.	Gross Weight.	No. of Fish.	Gross Weight.
		lbs.		lbs.		lbs.
January,	3	19	0	0	0	0
February,	6	70	4	31	7	55
March,	21	207	22	142	12	100
April,	34	271	44	366	28	238
May,	5	45	50	469	16	131
June,	110	545	220	864	31	189
July,	172	823	465	2,450	93	557
August,	110	773	85	420	25	174
September,	40	320	0	0	0	0
	501	3,073	890	4,742	282	1,444

William Dale complained of his having been prevented by the coast guard officer and chief boatman of this district, from using a small-sized mesh for taking White fish. He

APPENDIX, No. II.

Glenarm Fishery.

Flax water.
Season desired.
Number of nets.
Fishing time.

Trammel.

Season desired.

Cushendall Fishery.

Number of nets.
Rent.

Fishing time.

Observance of Close Time.

Season desired.

Want of piers.

Produce.

Prevention to
taking White fish.

APPENDIX, No. II.
Glenarm Fishery.
Produce.

wrote to the inspecting commander on the subject, and the only reply he received was, that the coast guard would not seize any nets except such as were illegal.
John Kane, previously examined, then handed in the following account of the quantity of fish taken at the Glenarm fishery, in his three bag nets :—

	1843.		1844.		1845.	
	Salmon.	Grilse.	Salmon.	Grilse.	Salmon.	Grilse.
February,	7	0	13	0	20	0
March,	62	0	37	0	22	0
April,	42	0	52	0	31	0
May,	33	3	71	3	29	1
June,	38	177	58	424	15	91
July,	31	490	43	770	32	270
August,	19	180	14	192	28	108
	232	850	288	1,389	177	470

EVIDENCE taken before Wm. T. MULVANY and J. REDMOND BARRY, Esqrs., at GALWAY,
MONDAY, OCTOBER 6, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF THE BAYS OF GALWAY, KILKERRIN, BIRTURBUY, ROUNDSTONE, AND MANNIN; THE FISHERIES OF LOUGH CORRIB, LOUGH MASK, AND THE RIVER SPIDDAL; AND THE FISHERIES OF THE ENTIRE COAST, AND ALL THE RIVERS TERMINATING THEREON, BETWEEN BLACK HEAD AND CLIFDEN.

An application having been made by Mr. Robertson, the lessee of the Ballinahinch fishery, for such an alteration in the Close Season as would cause it to embrace as much of the early season as possible, and to close on the 1st day of August—

Mr. MULVANY stated, that he and his Colleague were now prepared to hear any evidence which Mr. Robertson might adduce, in furtherance of his views and wishes in this respect.

Ballinahinch Fishery.
Extent of fishery.
Modes and places of fishing.

Mr. John Robertson, having been sworn, deposed, that he is lessee under Mr. Martin, of the Ballinahinch fishery, one branch of which extends about sixteen miles to Gleninagh, or Loughinagh Lake; and another branch goes as far as Flynn's house. He fishes in Lough Inagh, with rods and nets. He holds the fishery under an agreement of twenty-three years, from its commencement, fifteen years of which are unexpired. He fishes all along the river, and out in Birturbuy Bay, with draught nets, at high and low water. He fishes entirely on Mr. Martin's property, and no one does so but himself. He fishes with cribs as well as with nets; the cribs are placed about one mile nearer the sea than Ballinahinch house. He has never fished *with nets* at the Ballinahinch fishery before the beginning of May, because he considered it would not pay at that time; and besides, the fish, in the early part of the year, run ahead, and are therefore caught in the weir. He holds the fishery according to the quantity of fish taken; that is, he pays a certain sum to his landlord, for every pound of fish: the greater, therefore, the take, the greater the sum received by the landlord. The following is a correct return of the quantity of fish taken in the Ballinahinch fishery, since 1836, the first season that he got the fishery. This includes the produce of both weirs and nets :—

Produce.			lbs.	
1836,	1,521	Salmon,	11,904	} Cannot say when he began or ceased this year; would say they commenced in Nov., but is not certain.
"		Trout,	2,767	
1837,	262	Salmon,	1,583	} From the middle of December to 1st June.
"	3,682	Salmon,	25,195	
"		Trout,	7,113	} From the 1st June to the 17th August.
"				
1838,	148	Spring Salmon,	1,269	} In the whole season the principal part was taken in nets. The Trout fishery commences about the 10th June, and continues to the end of September.
"	4,962	Salmon,	34,129	
"		Trout,	16,020	} Caught from the middle December to 31st May.
1839,	61	Spring Salmon,	530	
"	6,495	Summer Salmon,	41,007	} Caught from 1st June to 12th August.
"		Trout,	11,339	
1840,	183	Spring Salmon,	1,835	} Produce of entire season.
"	4,208	Summer Salmon,	28,063	
"		Trout,	16,119	} Caught from 12th March to 1st June.
1841,	213	Spring Salmon,	1,877	
"	3,535	Summer Salmon,	25,126	} Caught from 15th February to 1st June.
"		Trout,	20,039	
1842,	398	Spring Salmon,	3,273	} Commenced 6th January.
"	7,387	Summer Salmon,	47,986	
"		Trout,	19,895	} Commenced 2nd December. A very excellent season.
1843,	370	Spring Salmon,	3,233	
"	5,454	Summer Salmon,	37,341	} Commenced 9th November.
"		Trout,	13,601	
1844,	161	Spring Salmon,	1,450	} Commenced 25th January, and ended 12th August this year. He has not fished his river much after the 1st August.
"				
"	4,388	Summer Salmon,	28,301	} Commenced 15th February.
"		Trout,	15,585	
1845,	100	Spring Salmon,	902	
"	4,869	Summer Salmon,	33,014	
"		Trout,	14,009	

The following is the return for the months in the year 1843:—

	Salmon.	lbs.	
November, . . .	28	247	from the 9th to the end.
December, . . .	94	837	from 3rd to 6th, 49 Salmon, 434 lbs.
January, . . .	71	605	
February, . . .	27	249	from 1st to 18th, five Salmon caught.
March, . . .	44	413	
April, . . .	33	310	
May, . . .	65	572	
June, . . .	1,241	7,582	
July, . . .	3,957	26,678	
August (to 14th), . . .	256	1,779	on the 14th, seventeen Salmon caught.

APPENDIX, No. II.
Ballinahinch Fishery.

He pays water-bailiffs for the protection of the fisheries. All the breeding fish are on the spawning beds in the months of November, December, January, and February; and he would not, therefore, allow any fishing to take place *above the weir* during these months. If such a practice were allowed, all the breeding fish, and consequently the future stock of the river, would be destroyed. He thinks that the fisheries can never prosper unless all poaching be extinguished; and by the term "poaching," he understands all destruction of fish, by any means whatever, during the Close Season. Witness would wish the season to commence early. He never takes black fish in his weir, no matter how early he commenced. There is no Queen's gap in his weir, but there is always a portion of it open. He considers the free admission of fish to the upper waters desirable, but it should not be permitted to too great an extent; for, in the summer months, the water gets so low that the fish can be destroyed with the greatest ease. He has regularly observed the weekly Close Time in his weir. Mr. Martin, who has the whole right of fishing along the river, never refuses any respectable person the privilege of angling; and witness is also anxious to encourage fair angling. The most suitable season for the Ballinahinch fishery is from the 1st December to the 1st August. This applies *only to the river below the weir*; and as *to the part of the river above the weir*, he would neither fish it himself, nor allow any one else to do so before the 1st June. From the 12th February to the 1st August is, in his opinion, the best season for the summer fishery.

Protection.
Spawning.

Poaching.

Angling.
Suitable season.

Mr. MULVANY inquired, how could such a distinction be drawn, or practically carried into effect, consistently with the proper protection of the fisheries.

Mr. Robertson replied that he spoke not in reference to any other fishery except that of Ballinahinch, nor did he mean to say that the season which he proposed would answer all rivers. The best spawning grounds are on the main river. He employs about twenty water-bailiffs, and three head men, in the protection of this fishery. The white Trout begin to spawn in the first week of October; the great bulk spawn between the 10th October and the 20th November, and they cease 1st January. The Summer fish begin to spawn in October. The Spring fish which go up in November spawn in February, and those which go up in December spawn a month later. He has never marked them going up at that time, but he is quite sure that they are Spring fish. The Spring Salmon are not advanced in pregnancy in November. The greatest pea is found in the Spring fish in January; he cannot say what is the latest period for the spawning of the Spring fish. The Summer fish begin to spawn in October; the great bulk about the 10th December; and they continue till the 10th January; the Summer spawning is then over. The male fish return to the sea immediately after spawning; the mother fish generally begin to run down in March, and do not cease descending until the 1st June; the cause of this is, that there are so many lakes and small streams, down which the fish cannot pass till it is late. The Fry come down early in March; the great bulk of them during the first ten days in May; and almost all are down before the 1st June. Persons angling during these months must necessarily kill large quantities of Fry, and he would therefore prohibit angling altogether at that time. It would be difficult to prosecute and convict a person for killing Fry, and he never heard of such a prosecution in this district. He does not mean to say that the magistrates would not convict for killing Fry, but the magistrates would not know whether the fish taken was really a Salmon Fry, and it would be difficult to prove it.

Trout.
Spawning.
January fish.

Spents.

Fry.

Mr. MULVANY observed that every fish having the fleshy fin above the tail is of the Salmon species; and the 73rd section of the Act was so plain, that no intelligent magistrate, anxious for the due administration of the law, could avoid convicting under it.

Witness.—The clause of having fish "in possession" during the Close Time is the most effectual check to poaching. The abolition of uniformity would not remove that check, because when a Salmon was produced in the market, a certificate stating that it was the produce of the river which it was then legal to fish would obviate all the difficulty. Though he might be able to distinguish a Spiddal from a Ballinahinch Salmon, the public forces certainly would not; but if it were clean fish that was exposed for sale, he thinks it would be no harm. The Fry which go down in August are the produce of the early or Spring fish. When he purchases fish from other fisheries, he pays 2 $\frac{3}{4}$ d. per pound in the Summer months. The Spring price varies according to the supply; he has gotten so much as 4s. 6d. per pound in Dublin for it. Witness is also lessee of the Renvyle fishery, but does not wish for a change of the season there; the produce of the Renvyle fishery is from five to six tons of Salmon yearly. The quantity of fish taken in Galway is decidedly not half what it is capable of yielding; the fisheries are not at all commensurate with the capabilities of the district. The protection of the Fry, which are now destroyed in great numbers, is the only thing that will benefit the fisheries; and he considers that every

Prices.

Renvyle fishery.

Produce.

APPENDIX, No. II.
Ballinahinch Fishery.

Bag nets.

Mesh.

Trout.

fishery in Ireland would be increased four fold by the protection of the Fry and breeding fish. Birturbuy and Roundstone bays are well situated for bag nets, but this engine is not good for fishing except where there is a great run of fish towards the river. The bag net is not suited to the south-western coast of Ireland, because great quantities of sea weed are cut there, and this dirties the nets. Where there is a great rise and fall of tide, the bag net must be made deep; if there be a heavy tide the mouth shuts, and doubles at low and high water. The rise and fall of tide at Ballycastle are small—not more than nine feet at high springs. He is anxious for a reduction of the mesh to one inch from knot to knot, for the one and three-fourth inch mesh is quite too large for the capture of their Trout, which are very numerous, and devour the Salmon spawn and small Fry in great quantities. There are ten times the number of Trout that there are of Salmon, and the after run of them—a species called the “Cooneen”—are about half a pound weight, and never grow to a larger size. These are very destructive, and an inch mesh is the only one suitable for their capture. An inch mesh would catch very few Salmon Fry, and he would be anxious to have this mesh for his regular nets to fish every where. The increase of Trout is quite incompatible with the increase of Salmon, for he has frequently taken the Salmon spawn and Fry out of their stomachs; and he therefore considers the inch mesh would be effective of much good. He speaks of the Ballinahinch fishery alone, but without any reference to its being exclusively fished; if he were dead to-morrow, what he has stated would be equally true for those who would come after.

THE COSTELLO RIVER.

The Costello River.

Mode of fishing

Barrier.

Protection.

Time of fishing.

Produce.

Season.

Spawning.

Late river.

Francis O'Connor, sworn.—Is the assistant manager of the fisheries on this river under the lessees. It is on the estate of Lord Donoughmore, but the Regans are the proprietors in fee. There is no weir upon it; it is fished with rods and lines exclusively, but nets are hauled in the bay outside. There are several large lakes on this river, but the fish cannot ascend to them in the Open Season, in consequence of a barrier which is put up to prevent them. This is a weir, formed of iron bars, and without any cribs. It was first put up in 1839; and the object of it is to confine the fish for the purpose of angling. If that weir were not there, the fish would run to the upper waters. It is always taken down during the annual Close Time. There are twenty-five water-bailiffs paid for the protection of this river. They begin fishing at the end of June, and generally cease about the 19th August. 1836 was a fair fishing year, and the produce of that year was 128 Salmon, and 1,138 Trout. The produce of the fishery is on the increase. The gentleman for whom he acts would wish the season to be extended to the 20th September or the 1st October. The spawning commences in November, but December is the greatest spawning month. He lives at the mouth of the river, and he first observes a good run of Salmon about the middle of July. The earliest time he ever killed fresh fish was in the month of May, and he has seen an unspawned Salmon in that month. The public never fish in Costello Bay; he is not aware what it is that hinders them. He has caught fish in September, and the pea in that month is sometimes large and sometimes small. The Salmon do not run up this river till it is late; and it is therefore they wish for a late season. He would not propose to catch every fish in September, but would allow some to escape. He does not think it would be to the advantage of the fishery if every fish were killed up to that time. The barrier to which allusion has been made is not where the old fishing weir had been; it is put up during the Open Season, because the river is kept for angling.

Edmond Naughten, sworn.—Is a water-bailiff, and at one time summoned a person named Edward Stapleton for having the weir or barrier in question erected. The case was heard at the Petty Sessions, and the hearing of it was adjourned, in order to give Connor time to throw down the obstruction. On the day appointed for the re-hearing, Connor proved that it had been removed; but it has been since put up again, and it was up last year during the Open Season. He wrote to the Commissioners of the Board of Works concerning it, and they directed him to summon a second time, but he did not do so.

THE SPIDDAL RIVER.

The Spiddal River.

Fishing time.

September and
October fish.

Weir.

Season.

Obstruction.

James Tracy, sworn.—Lives at Spiddal, and is employed by Mr. Fitzpatrick. He is acquainted with the Spiddal river about fourteen or fifteen years. The fishing always commenced in June and closed in October; that was the latest month he ever knew the river to be fished. They always caught good fish, and in fair quantity, up to the 15th October. He has opened the fish caught in September and October, and found some small in pea and others far advanced. This is more a Salmon than a Trout fishery; it is sometimes, but very seldom, fished by a weir: this weir is about thirty yards from the sea, and the high tides come up to it. The fish caught are not sold. The bottom of the upper part of the river is rocky and gravelly, and there are a great many streams running into that part, so narrow that one could step across them; so that the fish could be most easily caught there. From the sea to the source the river is about twenty miles in length, but he does not think it possible to protect it in the higher parts, there are so many small, narrow, and shallow streams. He has seen good fish taken in this river in October every season he fished in it. Mr. Fitzpatrick wishes that the season should extend to the 20th September. The natural obstruction, beyond which it is impossible for the fish to pass, is about two miles from the sea. There was a passage made through it once, but the fish which went up never returned. The land along the river from the sea to the source is the

APPENDIX, No. II.

The Spiddal River.

property of different persons. The obstruction is a solid rock, and the passage to which he alluded as having been made at one time was a little bye way, which was cut round by the rock. If the proprietors above got a share of the fish they might protect for one or two years, but as they would not be remunerated they would not continue that protection.

Martin Morris, esq., J.P., having been sworn, deposed that he was acquainted with the river Spiddal these forty years. The obstruction alluded to is a natural one of solid rock. The fishing always commenced in June and closed in October. The latest time he has seen season fish in this river was about the 6th October. The 20th August is too soon to cease fishing on this river. He has a Salmon weir on it, but it is now seldom used. About thirty years ago he and Sir Robert Staples made a cut round the natural obstruction with a view to the improvement of the fishery, and the result was that the next year the fishery was very bad; it was quite inferior to that of former years both in the number and the quality of the fish. They observed the fish going up when the passage was opened, and they must have been destroyed above, as they were not seen returning. The removal of the obstruction would certainly benefit the fishery, but great expense would be necessary for the undertaking; and in consequence of the number of branching rivers in the upper part, it would be impossible to preserve the breeding fish without a very great outlay: the property above is much subdivided, and the people could not afford to meet the necessary expense—first, of removing the obstruction, and afterwards of preserving the fishery. His only objection to the removal of the obstruction is in consequence of the great expense necessary. There would still be destruction of the fish, and the entire cost of protection would fall on Mr. Fitzpatrick. When the passage was made it was kept open for two years, and neither the supply nor the quality of the fish was so good as before; and since it was closed, there is a great difference in the number and quality of the Salmon. He has seen 200 Salmon killed in this river with the rod by one party in a season; he cannot say if there were ever 500 Salmon caught in the year. Mr. Fitzpatrick wishes for an extension of the season to the 1st October. He has opened the fish caught in September and October, and found some with large and some with small pea. If all the fish were killed up to that time there would not be a sufficient supply to stock the river afterwards. Some should be left for a supply, and this, of course, would be the case where there is no other mode of fishing except angling on the river. Mr. Fitzpatrick has no weir, but if his successor put up one, and that it were fished to a late period, the stock for the future would certainly be deficient. If the fish were protected above, after the passage was made, the fishery would improve; and there are a great many separate interests on the upper part of the river.

Obstruction.

Season desired.

Edward O'Malley, esq., sworn.—He is one of those interested in the river above the obstruction, his father having property there. The fish have only a run of about a mile and a half between the sea and the obstruction, and the bottom in that part is rocky and unfit for spawning. The fish cannot get beyond the barrier; they are, consequently, so cooped up and confined, that they become quite lank and out of condition. It is just as if a farm were overstocked, and that the cattle had not sufficient feeding ground or space to go about. He has seen Slats in the Galway river as good in appearance as the season fish of the Spiddal. He knows the property on the upper part of the river, and he is quite convinced that if the Salmon were allowed to go up every gentleman above would contribute towards their protection. That system of wholesale slaughter that now exists would not then take place; the poor above would have an interest in protection, nor would it be at all so easy to kill the fish in the lakes as it is in the short reach of the river within which they are now confined. It is quite idle to say that it would be impossible to protect the upper parts if a passage were made; there would be much more protection than now, and the upper gentlemen are most willing not only to pay the expense of making a passage over the obstruction, but also to contribute towards the protection of the fish afterwards.

Obstruction.

Protection

Mr. Robertson complained of the insufficient assistance afforded by the police in carrying the Fishery Act into operation.

GALWAY, OR CORRIB RIVER.

Mr. Richard Keogh, sworn.—Is twenty years acquainted with the Galway river; and he considered it would be beneficial to the fishery of that river to extend the season to the 1st September. The fish are very good up to that time, in consequence of their being so near the sea; and there would be a sufficient run afterwards to stock the river. There is a gap in his weir which is open all the year round; and the weekly Close Time has been strictly observed, so that sufficient opportunity has been given for the fish to ascend. The proprietor of the fishery is anxious that the mouth of the river should be defined, in order to prevent encroachments from the Claddagh fishermen. The fishery is, on the whole, increasing; but there was a falling off this last year. The fish spawn between Galway and Menlow. He employs thirty-two water-bailiffs in protection. The best spawning rivers are the Maam and the Cong rivers; but there are good spawning grounds at Newcastle, Tullyland, Menlow, Oughterard, and all the tributaries. The Brood fish are much destroyed; but the water-bailiffs are vigilant and give every assistance in upholding the laws. At the place in his weir where the platform is now, there were formerly fixed bars without any cribs attached, put there for the purpose of preventing the fish from going up; some of the sills that were taken up in 1826, have been made use of since in repairing the weir. The fish do not get above Maam until three weeks before Christmas.

Galway River.

Season desired.

Produce.

Spawning rivers.

Mr. G. F. O'Flaherty stated that he was interested in the Oughterard river; they had

Oughterard River.

APPENDIX, No. II. been in the habit of fishing there, up to the 1st October, but they did not wish that the season should extend so far.
No further evidence was adduced at this Inquiry, but the following papers were handed in:—

Certificate of the Fishmongers of Dublin.

Dublin, 4th October, 1845.
We, the undersigned Fishmongers of Dublin, do certify, that for many years the Salmon of the Ballinahinch fishery has been sold in this market, and that we consider the fish taken in the above named river, are the earliest sent into the market. The fish are in prime condition so early as November.

(Signed.)—WILLIAM BEGG, 9, Moore-street market; JOHN GASS, fish factor, 25, Greek-street; WILLIAM DOYLE, fishmonger to his Excellency the Lord Heytesbury, 2, Moore-street market, and 22, Moore-street; JOHN BEAHAN, 24, Moore-street, fishmonger to the Lord Lieutenant and the Chief Secretary; JAMES KAVANAGH, fishmonger to the Lord Lieutenant and the Commander of the Forces; MICHAEL KEEGAN, fishmonger, Baggot-street.

JOHN ROBERTSON.

Number of Salmon and Trout caught in Galway river, by weir and nets.

Number of Salmon and Trout caught in the Galway River, by the Weir and Nets.

	Salmon.	Red and White Trout.
1836, commencing Feb. 1, to August 12,	3,135	39
1837, " " "	4,357	101
1838, " " "	3,040	93
1839, " " "	4,458	142
1840, " " "	4,140	112
1841, " " "	3,666	90
1842, " " "	4,230	140
1843, " " "	4,619	58
1844, " " "	5,370	38
1845, from Feb. 1, to August 20,	5,195	54

Number of Salmon taken by weir and nets, from 12th to 20th August, 1844.

The Number of Salmon taken by the Weir and Nets from the 12th August to the 20th August, 1844.

260 Salmon by nets.
249 " " weir.

509 included in the gross take of 1844.

From the 12th to the 20th August, 1845.

55 Salmon by weir.
26 " " nets.

81 included in the gross take of 1845.

Ten tons weight of Salmon caught on an average each year, for the last ten years.
Salmon Weir, Galway, October 8, 1845. (Signed,) RICHARD KEOGH.

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at WESTPORT, COUNTY MAYO, on FRIDAY, OCTOBER 10, 1845.

SUBJECT OF INQUIRY.—THE SALMON AND WHITE FISHERIES OF THE BAYS OF BALLINAKILL, KILLIERIES, CLEW, WESTPORT, AND NEWPORT; THE RIVERS DELPHI, ERRIVE, NEWPORT, BURRISHOOLE, AND ALL THEIR TRIBUTARIES, AND THE FISHERIES OF THE ENTIRE COAST, AND ALL THE RIVERS TERMINATING THEREON BETWEEN CLIFDEN AND ACHIL HEAD.

RENVYLE FISHERY.

Renvyle Fishery.

Rent.
Season.
Mode of fishing.

Mr. John Robertson, sworn.—The original proprietor of the Renvyle fishery in Ballinakill Bay is Mr. Blake, from whom witness holds it under lease since 1839, at a yearly rent of £45. The season at present fixed by law is quite suited to this fishery. He fishes it himself, and uses bag, stake, and draught nets, but he has no weir. There is a barrier upon the river of great antiquity; it has been there for the last fifty-seven or fifty-eight years; it has no cribs; the racks are put in between the rocks, but they are wholly removed during the annual Close Time, and a space of four feet is always opened during the weekly Close Time. The tide comes up under this barrier. He uses the stake and bag nets a mile and a half below Mr. Blake's quay; but he has not used them these two years, because the run of fish was small; and he found that he could take them as well, and with less expense with the draught net. He formerly used bag nets off the mouth of the Culfin, which is the joint property of Mr. Blake and Colonel Thompson. In 1838, when he bought the fishery, the produce was about four tons of Salmon; it has since improved; and the fair average produce is now about six tons, exclusive of a Salmon each day, during the season, which he gives to Mr. Blake. There are very good spawning grounds in the Dowrus; the river, although not long, is very good, and it is as well por-

Produce.

The Dowrus.

tected as any river in Ireland. It is as well protected as the Ballinahinch fishery; he keeps nine water-bailiffs on it, and there are three or four more on the upper waters. The chief spawning grounds are below Kylesmore Lake. He considers the present produce of this fishery as great as it will ever be; for the river is not long; it has very few tributaries; and has received every sort of fair play. The Killieries is the best situation in Ireland for the bag net; in fact he has never seen better. The rise and fall of the tide is about fourteen feet. The bag net has not been tried there; but he recommended the fishermen to do so. The cost of a bag net is from £25 to £30. The produce of the Culfin is about three or four tons of Salmon; but he is perfectly certain that it could be worked to produce three or four times that quantity. It is certainly most judicious, in a commercial point of view, to take the fish on the coast, without waiting to catch them at the rivers, as they are taken sooner and in better condition. There should be no restriction to the taking of Salmon in the sea. The present season is well suited for the Culfin. An excellent fishery might be made at Ballinaboy, if the proprietors were agreed, and an obstruction on the river removed. There is no fishery there at present; but the fish are seen in great abundance. There are very nice spawning places on the Ballinaboy river; the bay is narrow; in consequence of the obstruction the fish cannot get out of the salt water; and the removal of the obstruction would not cost more than £200. The Ballinaboy would never become as good as the Ballinahinch fishery. He is quite decided in opinion that the spawn do not go down the first year. The obstruction referred to on the Dowrus, has not been used as a fishing weir within his memory; nor does he think its removal would benefit the fishery. There are different proprietors along the upper part of the river who would, of course, feel interested in protection if they got a share of the fish. The obstruction is under his immediate control. There is a police station at Letterfraick, near the bridge, in the Clifden district, under the superintendence of Mr. Ireland, Sub-Inspector. He considers himself entitled to compensation if this obstruction were removed. Before the late Act, his landlord, Mr. Blake, offered to abate half his rent if he permitted it to be taken down: and its removal should, therefore, be regarded as affecting his fishery. He could prove too, that it had been used for fishing; and with that view requested permission to examine a person long acquainted with the river. He had frequently seen Salmon spawn on the beds where other Salmon had spawned before; and the spawn previously deposited there was torn up, and carried away by the current. He is firmly convinced that a river cannot be overfished if the Close Season be observed.

Edward Malley, sworn.—Lives at Ballinahinch, but he formerly resided at Renvyle. It is now twenty years since he left that place. He knows the bridge, and remembers the time it was built. There was a rack there before that time, and Mr. O'Flaherty used to kill fish at it in nets and cribs. This rack was in the same place as Mr. Robertson has it at present.

DELPHI OR BUNDORRAGHA FISHERY.

Mr. Patrick Caulfield, sworn.—Is steward to the Hon. Mr. Plunket, who has been lessee of this fishery for more than nine years. Witness is manager of the fishery. The river is fished both by nets and rods; the nets are drawn down at the mouth; this has been the case every season except one. The produce of the fishery is sold. The season at present fixed by law is the one most suited to this fishery. The quantity of fish begin to decline in August; they do not then come in such schools as before. The produce this year, exclusive of that taken by angling, was about 800 Salmon, weighing two tons five cwt. There are white Trout in this river; but they did not take much this year, in consequence of the largeness of the mesh; he is quite satisfied with the mesh fixed by the late Act. The first season that he came to the fishery, before the two and a half inch mesh regulation was made, they took £20 worth of white Trout; but they did not kill £4 worth last year; they all escaped through the large sized mesh. There are more fish caught in this river in July than in any other month. The following is a correct return of the Salmon and Trout taken in this fishery since 1840:—

	Salmon.	lbs. Weight.	Trout.	lbs. Weight.
1840,	524	3,399	905	2,281
1841,	562	3,833	1,042	2,049
1842,	617	3,759	1,052	2,060
1843,	767	5,002	218	805
1844,*	450	2,579	238	847
1845,	741	4,510	180	560

It is a rare thing to meet so many as twenty in a school in the month of August; while in July they often take eighty in a haul. There are good spawning grounds in the Delphi; and he has made some new beds by turning the waters back to their natural course, from which they had been diverted some time since. There are nine water-bailiffs on the river, and they have to protect an extent of about twenty miles. He thinks that it would benefit the fishery if something were given for the killing of Otters; they are great destroyers of fish; and he is of opinion that twice the quantity of fish would have been taken were it not for them. Mr. Plunket did not allow him to fish within half a mile of the mouth of the river this year. There are eighteen or nineteen boats which constantly fish with drag nets to the east of him in Killieries harbour; and there is only one fishery and two boats to the westward. Those who fish to the west haul their nets on shore and

APPENDIX, No. II.

Renvyle Fishery.

Killieries.

Bag net.

The Culfin produce.

Season.

Ballinaboy.

Obstruction.

Dowrus.

Obstruction.

Delphi, or Bundorragha Fishery.

Season.

Produce.

Trout.

Produce.

Best months.

Protection.

Number of fisheries.

* Fished only six weeks.

APPENDIX, No. II.

*Delphi, or
Bundorragha Fishery.*

Trout.

Spawning.

Migration.

not into the boats. If the Close Season commence early, and the river be fished only at the proper time, it is impossible to overfish a river; and as far as angling is concerned, it is quite destructive to the sport to allow too many fish to accumulate; for where there is not much fishing there is not sufficient food for the Salmon; they then eat the young Fry and spawn, and will not be tempted by any fly that may be thrown. He has seen white Trout on this river, of sixteen pounds weight; those of ten pounds are very common. There are no bag nets used in Killiery harbour. White Trout begin to spawn the 24th October; the Salmon spawn from the 20th November to the 10th or 11th January; he has seen some on the beds up to the 8th February. The great run of spents to the sea is in April and May; some might go down earlier, but he has not seen them. The Fry descend in April and May; he is quite convinced that they remain a year and a half in the river after being spawned, before they go down to the salt waters; those Fry which go down in April, for instance, are the produce of the spawning in the December twelve-months before that. The definition of the mouth of the Delphi has given general satisfaction to all engaged in the fisheries. Witness is firmly persuaded that it is calculated to increase the stock of a river, and improve the fisheries, to have a neutral ground where none can fish; and it is the interest of all—the public and proprietors of fisheries—that such a preserve should be made and maintained. He pays the head barger £7 a year and the under people 35s.

Mr. BARRY inquired if there were any persons present interested in the fisheries of the Killiery harbour; and being answered in the affirmative, he directed that they should nominate one from among them, to give evidence as to the state of their fishery, and represent their wishes to the Commission.

Killeries.

Mode of fishing.

Fishing time.

Observance of the
law.

Produce.

James Kendrigan then offered himself for examination, and having been sworn, deposed, that he is a fisherman, and lives at Letterearagh. He has been fishing for Salmon at the Killiery harbour these sixteen years. There are four boats and sixteen men from the townland to which he belongs engaged in fishing there. Their manner of fishing is this: they wait till they see the scull of fish coming, and they surround them with their net, and draw them in upon shore. They never put a man on the cliffs or headlands to watch the shoal, and warn them of its approach. The earliest time they ever began to fish was on the 16th May, but the general time for commencing is the 16th or 20th June. They have frequently seen the fish jumping about March, but they never try to take them at that time, because they are not sufficiently plenty to make it worth their while. He did not hear that any one fished at the Killeries after the first three weeks of August, nor did any one fish within the limits of the definition this year. Once they knew what was the law, they would never transgress it. Before the late Act, persons used to attempt to hinder them from fishing at the Killeries, but there has been no interruption since. Each boat makes from £16 to £20 a year, and some still more. He thinks Mr. Caulfield should employ the men who fish in the Killeries to protect the river, as none were more anxious to preserve the fishery, and none would discharge the duty so faithfully.

Mr. Caulfield said, that he would avail himself of their assistance, were it not that during the last season he was obliged to prosecute some of them for killing red fish in the Close Season. He had now, however, full confidence in them; and he felt quite certain that not one of them would be guilty of such a crime again.

James Kendrigan said, that the fishermen now understood the law, and were well aware that if the river were protected, they would be benefited, as well as the gentlemen above; and if they got liberty, they were quite willing to take their turn in watching the river, and preventing the fish from being destroyed. They were willing to help Mr. Caulfield's or Mr. Hildebrand's men; and if these gentlemen doubted that they would act properly, let them send some of the bargers along with them.

THE ASS OR ERRIVE FISHERY.

*The Ass or Errive
River.*Season.
Mode of fishing.

Protection.

Spawning.

Spents.

Dominick Browne, sworn.—He has been employed by Lord Sligo, as a water-bailiff, on this river, for the last two years. He lived at Delphi before then. The present season is quite suited to the Errive, and no change is desired. It was fished by rods alone, this and last year. There has been no net fishing in his time; and when the nets were used, it was between the house and Leenaun. There has been no net fishing above the falls. There are two water-bailiffs and nine bargers on the river. Spawning commences the 20th November; the great bulk spawn from the 1st December to the 1st January, and all spawning is over on the 12th February. The spent fish descend to the sea in April and May, and the Fry at the same time. About sixty Salmon was the whole produce of the fishery this year.

Mr. MULVANY expressed his astonishment at hearing that so small a quantity of fish was the produce of such a fine river; circumstanced as it was, with its extensive spawning grounds, and numerous tributary streams, it should yield several tons of fish in the season.

Mr. Hildebrand recollected a period when the annual produce of this river was ten tons of Salmon, but lately no attention whatever was paid to its protection.

D. Browne, in continuation, said that there have been disputes about the mouth of the river; the people came within half a mile of the fall this year, and poached just under it.

Mr. MULVANY said, that the mouth of the river would be very soon defined; and from the inspection which he and his colleague made of it the day before they decided on fixing it near the waterfall at the rock.

All the parties in the court expressed themselves perfectly satisfied with the proposed definition; and the fishermen of the tideway said, they were quite ready to obey the law in this respect, as soon as it should be made known to them.

BELLCLARE FISHERY.

APPENDIX, No. II.

Charles Simmonds, sworn.—He is the superintendent of this fishery, and considers the present season is very suitable, but those who fish there would like some extension. He is told by the bargers, that the spawning time in this river is the same as in the others of this locality. The fishery is carried on by draught nets; and when the water becomes too shallow to draught, they use a species of landing net. There are a good many fords for spawning in this river, and the fishery is increasing in produce. The yearly profit about two years ago was £2, while this year there was £10 profit, and the value of the entire produce was about £18. Sixpence per pound is the highest price they ever receive; they do not commence fishing till June. The fishery of the river is destroyed by the practice of hanging nets of a small mesh on the mill sluices, and thus killing an immense quantity of Fry. This fishery belongs to Mr. Patten.

Sir Richard A. O'Donnell stated, that about three years ago there was a great abundance of Oysters on his part of the bay, but that now there was scarcely the vestige of an Oyster. There were upwards of 140 Oyster boats dredging throughout the entire of the last Close Season.

Bellclare Fishery.

Season.
Spawning.

Produce.

Destruction.

Oysters.

NEWPORT RIVER.

Sir R. A. O'Donnell, bart., sworn.—Is proprietor of the fishery on the above river. It is fished with draught nets alone. The season would answer better if it commenced in January. Before the late Act this river was fished at all times, being one of the excepted rivers; and the Salmon were always in season. Spawning commences about the 1st November, or towards the end of October. The white Trout are spawning at present. The great bulk of the Salmon spawn from 15th November to Christmas. Spents and Fry descend to the sea in April and May, and when there are floods they go down a little sooner. The produce of the Newport river this year was eight tons of Salmon, and three tons of white Trout. The weekly and annual Close Times were strictly observed. There are no boxes used for fishing, but they are in progress of being put up. Before this year they used to kill but one or half a ton of Salmon during the entire season; and the increase in this year's produce arises altogether from the care which was extended to the fishery. He commenced the system of strict protection three years ago. He pays his water-bailiffs or bargers £5 a year, together with a great coat, to protect them from the severity of the weather; to the men placed immediately over these, he pays a salary of £10 or £12, and great coats also; and then he has a general superintendent over all, to whom he gives £20 a year. The protection of this river costs him £92 annually, exclusive of the expenses of the clothes, and the salaries of the extra men whom he puts on during the spawning season. He was in the habit of letting the Newport fishery, and was always glad to get £20 or £30 a year for it; but this year he cleared £150, over and above his expenses. He was not at all prepared for such an increased run of fish this year; and if he had the implements necessary for the occasion, the produce would have been twice as great as it was. If he found matters progressing, he would build an ice house, for the purposes of exportation.

Newport River.

Mode of fishing.

Spawning.

Migration.

Produce.

Protection.
Cost.

Gain.

BALLYCROY FISHERY.

Examination continued.—He hoped that the Commissioners would extend the season for this fishery to the 1st September. In order to give some notion of the Ballycroy fishery, he would state a most singular circumstance. One season, some years ago, not a single fish was taken up to the 12th August; and, after that, they took 1,800 Salmon each day, for three or four days; thus making up, in a few days, the fishery of the entire year. The active protection which exists at present was commenced two years ago, but the river has been preserved to some extent these twelve years. There were fifty-two Salmon stolen from one spawning bed last year. The Ballycroy is fished by nets, and the cost of protection is £185 annually; the bargers are paid at the same rate as those on the Newport river. The produce of the year 1841 was thirty-four tons of fish; that of last year was twenty-four tons; and of the preceding year, twenty-one tons. If the season had extended somewhat later last year, the quantity of fish caught would be much greater. He fishes in Tullaghan Bay, and protects a mile of the Owenmore river. Gallagher and Mr. Pratt protect the remaining portion. Salmon have been known to come up to spawn in this river. At the time this took place, they used to fish on till September. There are no Spring Salmon in the Ballycroy. There had been an obstacle on this river, but he had it removed at his own expense, and that is one reason why the Commissioners should give the extension of ten days for which he applies. When the weir was up, it was a complete barrier to the fall of dirt and mud, and in that way was a great benefit to the fisheries. The white Trout have not been lately taken, in consequence of the size of the mesh, and he fears that the great quantity of Trout will injure the Salmon fishery. He believes that where the Salmon spawn, others come and deposit their spawn; and when the beds are rooted up, the current carries off the disturbed spawn.

Ballycroy Fishery.

Season.

Cost of protection.

Produce.

Late river.

BURRISHOOLE FISHERY.

Mr. William Nixon, sworn.—Is lessee of this fishery, under Sir R. A. O'Donnell and Lord Sligo. He considers the 20th August too late to continue fishing, and would wish for a

Burrishoole Fishery.

APPENDIX, No. II.	season commencing on the 1st January and ending the 1st August. Good fish go up this river in November and December; and the fish which go up in December do not, in his opinion, spawn till the following year. Before the late Act he was in the habit of fishing from the 11th November to the 12th August. There has been no great improvement in this fishery, owing to a change which has been made in the bed of the river, whereby the best spawning grounds were dried up at the upper end of the lake. The gross quantity taken has increased this year. He did not observe the Close Season until this year. He protects the river, and keeps sometimes eight and sometimes ten bargers upon it. He holds the fishery by lease; and pays £2 to Sir R. A. O'Donnell, and £12 to Lord Sligo for it; he has a lease of lives from each. There were but five Trout caught last year, but he used formerly to make £16 a year by the Trout fishery. The spawning commences about the 1st November; the great bulk are on the beds about the 18th of that month; and it ceases about the 10th December, or a fortnight before Christmas. There is one small river between the lake and the sea where the spawning commences a week before Christmas. The early Salmon run the farthest up. The spents descend to the sea in March, April, and May. To show the reason why they do not go down sooner, he would state a singular fact. On one occasion he caught a spent fish in his weir, in November, and having marked it in two places, he threw it into the water; and on the following morning he caught it again, along with some new fish. This occurred thirteen or fourteen times; each time he was taken, he was thrown into the water below the weir; and this continued until he had completely changed his coat. He then went down to the sea, and they never took him again. The fish will not go down to the sea after spawning until they drop all their scales in the fresh water.
<i>Burrishoole Fishery.</i>	
Season.	
Fishing time.	
Increase.	
Protection.	
Rent.	
Spawning.	
Spents.	

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at BALLINA,
TUESDAY, OCTOBER 14, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF THE BAYS OF BLACKSOD, BROADHAVEN, AND KILLALA; THE FISHERIES OF THE RIVERS BALLYCROY, OWENMORE, MUNHIM, GLENAMOI, MOY, AND ALL THEIR TRIBUTARIES; THE FISHERIES OF LOUGH CONN AND LOUGH CULLIN, AND OF THE ENTIRE COAST, AND ALL THE RIVERS TERMINATING THEREON, BETWEEN ACHIL HEAD AND KINNASHARRAGH POINT, NORTH-EAST OF KILLALA BAY.

MUNHIM AND GOOLAMORE FISHERIES.

<i>Munhim and Goolamore Fisheries.</i>	<i>Michael Gallagher</i> , sworn.—Is lessee of the Munhim and Goolamore fisheries, and claims an alteration of the present Close Season in both these rivers. The Munhim is a Winter fishery, and since he took it he always commenced fishing on the 1st November; before that the fishing season always began on the 29th September. There is a weir on each of the rivers, and they are also fished with nets. The weir on the Munhim is lower down than the road leading from Bangor to Belmullet. The fish must pass the Goolamore weir before they can reach the Munhim. The season he requires for one river is not the same as that which he would ask for the other. On the Munhim he would wish the fishing season to commence the 1st November, and continue to the 1st May; and the best season for the Owenmore river would be from the 1st May to the 28th September. The fish spawn in the Glencullen river about Christmas, and this river runs through the properties of different persons. The fish which go up the river remain twelve months in the lake before they spawn: the lake above is never fished. Tullaghan Bay is fished by witness, Mr. Carter, and Sir R. O'Donnell; and the season he would ask for the estuary and bay is from the 1st May to the 20th August. The Munhim was fished in November and December the year before last, but not last year. It was fished in January this year, and he thinks it a hardship to be kept from taking the fish when he can get them, for if not caught they go to waste. The fish caught last January were sold in the Dublin market; all his fish, in fact, are sent to Dublin. The fish of the Munhim river are getting red in May; he would know a Munhim Salmon from the midst of a thousand. The reason of his not observing the Close Season up to this time was because he did not know the law. He pays £70 a year to Mr. Walsh for lands and fishery, and £25 to Mr. Carter; £28 out of the £70 is for land. There is no Queen's pass in the Munhim weir, and but one fishing crib, but there are two gaps. The weir is of 300 years' standing, and there never was a Queen's share in it. He has not regularly opened a passage of four feet wide during the weekly Close Time: there were some nights on which he could not open the iron gate which is attached to this weir. There are two gaps in the Goolamore weir, but no Queen's share. This is a very ancient weir; his grandfather could not recollect the time of its erection. The bottom of the cribs is on a level with the bed of the river, but the cribs do not open back, so that the removal of the grates, necessary for the observance of the weekly Close Time, cannot be easily effected. The tide flows above this weir. The following is the produce of the Munhim for three years, as nearly as he could give it, but he could not swear exactly to the quantity taken, as he had no accurate account:—
Season required.	
Weir.	
Season.	
Spawning.	
Season.	
Fishing time.	
Rent.	
Weir.	
Observance of Close Time.	
Goolamore Weir on the Owenmore.	

	1841.	1842.	1843.
	Cwt. Cwt.	Cwt. Cwt.	Cwt. Cwt.
November, from	- 4 to 5	from- 5 to 6	from 5 to 7
December, "	- 15 " 17	" 14 " 16	" 16 " 18
January, "	- 9 " 10	" 8 " 10	" 8 " 10
February, "	- 8 " 9	" 7 " 9	" 7 " 9
March, "	- about 3	" 4 " 6	" 5 " 6
April, "	- " 3	" 3 " 5	" 3 " 4
	— —	— —	— —
	47	41 " 52	44 " 54

APPENDIX, No. II.

Munhim and Goolamore Fisheries.

Produce.

He has twelve water-bailiffs on the two rivers, to whom he pays £2 a year each. The fish spawn in the Glencullen river from the middle of November to the 1st January; the great bulk are on the beds about Christmas; he never knew of any spawning in that river in February. The spents come down from Carrowmore Lake in February, March, and April; the greatest quantity in the latter month. The Fry descend to the sea in May. The spawning takes place in the Owenmore about the same time as in the Glencullen, but somewhat later in the upper part. He has known spawning to take place in the Owenmore in February, and has also known the Munhim fish to go up the Owenmore: he caught a good number of them about a quarter of a mile up. He has known the Munhim fish to spawn about the same place. He takes upwards of £150 worth of fish in the year. Has the fishery eleven years, and in consequence of the protection it has improved very much. In 1845 he began to fish in January, and continued till May. The prices are from 1s. to 1s. 3d., and sometimes 2s. 6d. per pound. He got about £100 worth of fish in the Munhim alone this year. He would not think it worth his while to put on water-bailiffs if he were not allowed to fish till the 12th February. No one except himself contributes to the protection of the river; he gave some persons a right to angle, and they, in return, gave him some men to assist in protection.

Protection.
Spawning.

Migration.

Produce.
Improvement in
fishery.
Prices.

A water-bailiff of Mr. Pratt's said that he had been directed by his employer to apply for an extension of the season for *angling alone* to the 20th September: there is no water in his river until a late period of the season.

The following memorial was handed in:—

That for some years heretofore your petitioners, as well as many others, earned a decent and respectable livelihood, and supported their families by White fishing.

That for the last two years, in consequence of many individuals having commenced trawling in the bay of Killala, and adjacent creeks, fish of every description have disappeared from the bay and creeks of Killala, the consequence of which is, that ruin and misery have succeeded in the abodes where peace and plenty had hitherto smiled, and all this has been brought on by the baneful practice of trawling.

Your memorialists humbly hope that their case will be taken into serious consideration by the Commissioners of Fisheries, and that they will be charitably pleased to encourage the fishermen by putting a stop to the practice of trawling, to which your memorialists attribute all their poverty and disappointment.

John McHale, sworn.—Is a fisherman, and lives at Bartra. The long lines are frequently carried away by the trawl boats; the fishermen would be perfectly satisfied if the trawlers were kept outside the rocks of Rockpatrick. The trawl boats are about fifteen tons burden. They cannot get a morsel of fish since the trawling commenced; and he is quite of opinion that the scarcity has arisen from the practice of trawling.

Trawling.

GLENAMOY RIVER.

Hugh Ferguson, sworn.—He rents the fishery of this river, for which he pays £6 a-year; he has no lease. Fishes with draught nets, which he draws at low water near the bar at Rosspport. He commences to fish the 1st July, and continued last year to the 20th August, but his usual stopping time was the 12th. Twenty-three hundred weight of Salmon was the produce of last year's fishery. The spawning and descent of the fish take place in this river somewhat later than was sworn to by Michael Gallagher. There are no bag nets nearer than Kilcummin. He caught some strange fish in Broadhaven at one time, and some old people said they were the Ballyshannon fish. He wishes an extension of the season to the 20th September; he has frequently opened the Salmon, and did not find pea or milt in them till about the 20th October.

Glenamoy River.

Rent.
Time of fishing.
Produce.
Spawning.

Season.

CLUGHER FISHERY—MOUTH OF THE RATHFRAN.

Mr. Knox applied for an extension of the season on this fishery, and stated that all the Salmon are in pea to some extent a week before the 20th August.

Clugher Fishery.

Season.

Mr. Edward Atkinson stated that the bag net fishery commences at the mouth of the Rathfran in June; he himself fished with bag nets there, but he did not catch more than one ton of fish the entire season. The bag net fishing there last year was prosperous. He was quite certain that they catch the Moy fish there, because he has bought the fish caught there, and when put beside the Moy Salmon, they could not be distinguished from each other.

BALLINA FISHERY.

Mr. Edward Atkinson, sworn.—He has been agent for this fishery for the last nine years; and he was well acquainted with the country before then, although not previously

Ballina Fishery.

APPENDIX, No. II.	connected with the fisheries. The river Moy is fished both by weirs and nets; and the fishery extends from the weir to the bar-mouth. The lessees also rent the fishery above the weir from Captain Atkinson, as far as his property extends; Captain Atkinson owned the property on both sides of the river when he made the lease. They used to begin fishing with the boxes or weir on the 1st February; and if the weather were mild, they used to take a considerable quantity of Spring fish between that and the 12th. He rarely knew an instance of a spawning fish being caught at that time. He protects upwards of 100 miles of the river and its tributaries; and for this purpose keeps about 250 water-bailiffs, at an expense of £1,000 annually. He receives no aid whatever from other parties; the expenses of protection are about the same now as before the Act. The Clydagh, which is near Castlebar, and about fourteen miles from Ballina, is the earliest spawning tributary of the Moy. The fish begin to spawn there about the end of October. There are a great many mill-weirs and interruptions on the Clydagh, of the existence of which they complained to the Commissioners, offering to defray the expense of making passes. They also proposed to the millers to put up back sluices at the mills, but they would not be permitted to do so. Taking the general average, the bulk of the fish spawn about the 15th December, and all spawning is over about the 1st February. He is of opinion that some few Salmon spawn even so late as March. The present season is suitable for this fishery, but it would be advantageous to have it commence on the 1st January. He does not apply for this alteration, nor would he recommend his employers to do so. The Fry begin to go down to the sea in March if there be good weather; but the great bulk descend at the end of April, or the beginning of May. The fishery has been diminishing for the last three years; and the decrease, comparing them with the three previous years, is thirty ton, sixteen hundred weight of Salmon, and nine ton of Trout. There is a decrease in the take of 1844 and 1845, compared with that of the two first of the last six years. This arises from his being obliged to open his weirs during the weekly Close Time; and partly from the increase of poaching. The river is not now so well protected as before the Act; and there are a great many more persons poaching now than then. The magistrates have frequently cautioned the people, but their advice has not been attended with any advantage. The small penalties now inflicted increases the number of offences; before the late Act he had all poaching nearly suppressed. He has had no summonses this year as yet, for the Salmon are only now gone up to the beds. The Trout fishery, and the quality of the Salmon were much affected by the large sized mesh; and the alteration in the size, made last session, will be of very great advantage to the fisheries. The practice of fixing a net across the river is still continued, as he was not previously aware of its illegality. The weir at Foxford is held from Lord Claremorris, and there is no Queen's share in it; but, between the north and south side there is a fall at the back of Mr. Henry's mill, in which no rails are put. There is an Eel fishery on the Moy. When fishing for Eels there is always a space left in the weir for the passage of the Salmon. From the 20th August to the 1st January, would be the best season for the use of fixed engines for the capture of Eels; because the spents are coming down after the 1st January, he would not allow the engines to remain up after that time. There are other Eel fisheries on the river. He has sometimes put up Eel Fry in tubs, but he never adopted the system of getting them up by straw ropes.
<i>Ballina Fishery.</i>	
Modes of fishing.	
Extent.	
Time of fishing.	
Protection.	
Expenses.	
Obstructions.	
Spawning.	
Season.	
Migration.	
Decrease.	
Observance of Close Time.	
Mesh.	
Foxford weir.	
Eel fishery.	

EVIDENCE taken before WM. T. MULVANY and J. REDMOND BARRY, Esqrs., at SLIGO,
FRIDAY, OCTOBER 17, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF SLIGO BAY AND BALLYSADARE; THE FISHERIES OF THE RIVERS EASKY, OWENMORE, AND ALL THEIR TRIBUTARIES, AND OF THE ENTIRE COAST; AND ALL THE RIVERS TERMINATING THEREON, BETWEEN KINNASHARRAGH POINT, AND MULLAGHMORE.

SLIGO RIVER.

<i>Sligo River.</i>	<i>Abraham Martin, esq., sworn.</i> —He wishes for an alteration of the present Open Season, to one commencing the 1st January, and ending the 1st August. The reason of this application is, because the fish taken in the early part of the season are large and very fine, while the Summer fish are invariably small. He is the sole proprietor of the Sligo Salmon fishery, and as it is an exclusive fishery, there being no other above him, he trusted that his interests would be consulted. Some years ago a new road was made along one of the tributary rivers, and the gravel was taken up out of the bed of the river, quite alive with spawn; and such a practice as that, if it were allowed, would be very injurious to the fisheries. He has been lately in the habit of making new spawning beds in the rivers; and he derived much benefit from the practice. Wherever the bed of the river was hard and rocky, he had it crowed up and the stones removed, and in a few years after he commenced these operations, the produce of the fishery greatly increased. Before the Poor Law assessment was made in 1841 he made out a return of the produce of his fishery for seven years previous, and the whole profit after paying the expenses of fishing, was £68. That was all that he had to meet a rent of £210, thus sustaining a loss of £142. The average
Season.	

yearly profit rent of the Sligo Salmon fishery for the thirteen years between 1833 and 1845, not including rent, was £110 6s. 3½d. The following account of the produce of thirteen years is correct:—

APPENDIX, No. II.

Sligo River.

Produce.

	No. of Salmon taken.	Weight.	Amount received.
		<i>Cwts. qrs. lbs.</i>	<i>£ s. d.</i>
1833, January 1,—Taken to 11th May,	471	41 1 25½	167 17 7
„ to 6th July,	1,058	63 1 4	137 2 8½
„ to 21st August,	127	5 3 18	15 9 6½
5 tons 10 cwt. 2 qrs. 19½ lbs. (6¼d. per lb.)	1,656	110 2 19½	320 9 10
Deduct Expenses,	—	—	271 0 11½
Gain, not including rent,	—	—	49 8 10½
1834, January 1,—Taken to the 16th April,	189	14 1 23½	80 4 1
„ to the 27th May,	612	46 0 10½	111 8 2½
„ to the 2nd July,	430	23 0 25	51 12 10½
„ to the 22nd August,	198	9 2 14	17 7 5
4 tons 13 cwt. 1 qr. 17 lbs. (6d. per lb.)	1,429	93 1 17	260 12 7
Deduct Expenses,	—	—	235 0 0
Gain,	—	—	25 12 7
1835, January 1,—Taken to 13th April,	269	21 3 13½	100 14 4
„ to 17th May,	359	33 1 27	146 3 2
„ to 7th July,	456	27 2 25½	80 11 11½
„ 31st August,	113	6 0 18	11 4 7½
4 tons 9 cwt. 1 qr. (8d. per lb.)	1,197	89 1 0	338 14 1
Deduct Expenses,	—	—	249 2 4½
Gain,	—	—	89 11 8½
1836, January 1,—Taken to 26th April,	169	13 3 9	64 0 4
„ to 21st May,	164	13 0 2	60 9 3
„ to 20th June,	312	19 2 0	61 7 9
„ to 20th July,	465	21 0 19	42 16 1
3 tons 7 cwt. 2 qrs. 2 lbs. (7¼d. per lb.)	1,110	67 2 2	228 13 5
Deduct Expenses,	—	—	251 4 2½
Loss,	—	—	22 10 9½
1837, January 1,—Taken to the 13th March,	200	15 1 25½	70 14 0
„ to 30th May,	287	24 2 26½	100 13 7
„ to 21st June,	287	16 1 14	38 10 6½
„ to 2nd July,	483	25 1 5	43 18 11½
„ to 11th August,	258	12 0 26½	29 10 10
4 tons 14 cwt. 0 qrs. 13½ lbs. (6½d. per lb.)	1,515	94 0 13½	283 7 11
Deduct Expenses,	—	—	219 12 11
Gain,	—	—	63 15 0
1838, January 1,—Taken to 11th April,	140	11 3 21	53 9 3
„ to 28th May,	385	32 3 6	136 4 3
„ to 26th June,	936	50 2 6	103 16 11½
„ to 11th August,	907	44 2 5½	60 6 5½
6 tons 19 cwt. 3 qrs. 10½ lbs. (5½d. per lb.)	2,368	139 3 10½	353 16 11
Deduct Expenses,	—	—	231 18 8
Gain,	—	—	121 18 3
1839, January 1,—Taken to 18th April,	112	9 2 17½	43 17 11
„ to 17th May,	291	25 1 9½	99 3 2
„ to 17th June,	221	17 1 7½	55 4 11
„ to 25th July,	493	27 2 7½	53 16 1½
„ to 20th August,	175	7 0 22½	13 6 4
4 tons 7 cwt. 0 qrs. 8½ lbs. (6½d. per lb.)	1,292	87 0 8½	265 8 5½
Deduct Expenses,	—	—	359 14 2
Loss,	—	—	94 5 8½

APPENDIX, No. II.

Sligo River.

	No. of Salmon taken.	Weight.	Amount received.
		<i>Cwts. qrs. lbs.</i>	<i>£ s. d.</i>
1840, January 1,—Taken to 1st April,	223	18 1 15	82 19 7
„ to 30th May,	454	38 3 9	151 2 5½
„ to 30th June,	386	22 2 7	62 14 1
„ to 30th July,	284	15 1 13½	32 9 10½
4 tons 15 cwt. 0 qr. 16½ lbs. (7¼d. per lb.)	1,347	95 0 16½	329 6 0
Deduct Expenses,	—	—	198 13 10
Gain,	—	—	130 12 2
1841, January 1,—Taken to 30th March,	337	27 3 25½	125 12 11
„ to 30th April,	498	41 2 0	186 0 8
„ to 30th June,	351	26 3 7	113 1 9
„ to 1st August,	393	20 0 5½	50 5 5
5 tons 16 cwt. 1 qr. 10 lbs. (8¾d. per lb.)	1,579	116 1 10	475 0 9
Deduct Expenses,	—	—	216 1 3
Gain,	—	—	258 19 6
1842, January 1,—Taken to 30th April,	577	45 2 16	204 10 3
„ to 30th May,	285	22 1 18	95 1 10
„ to 30th June,	748	30 2 20	93 9 1½
„ to 30th July,	258	14 0 15½	26 15 7
5 tons 12 cwt. 3 qrs. 13½ lbs. (8d. per lb.)	1,868	112 3 13½	419 16 9½
Deduct Expenses,	—	—	259 17 2
Gain,	—	—	159 19 7½
1843, January 1,—Taken to 12th February,	261	20 0 2½	90 9 2
„ to 30th March,	191	13 1 3	64 2 6
„ to 30th April,	843	64 0 9½	201 8 4
„ to 30th May,	140	10 2 25	30 2 9½
„ to 30th June,	265	15 1 6½	36 0 0
„ to 30th July,	463	24 0 12½	41 3 0
7 tons 7 cwt. 2 qrs. 3 lbs. (6¾d. per lb.)	2,163	147 2 3	463 5 9½
Deduct Expenses,	—	—	247 13 10½
Gain,	—	—	215 11 11
1844, January 1,—Taken to 12th February,	156	12 2 7	55 18 9
„ to 30th April,	733	57 0 8½	251 10 6
„ to 30th May,	861	67 0 17	147 17 6
„ to 30th June,	533	26 2 6½	53 8 8
„ to 30th July,	416	18 3 22	32 5 0
9 tons 2 cwt. 1 qr. 5 lbs. (6¼d. per lb.)	2,699	182 1 5	541 0 5
Deduct Expenses,	—	—	290 1 10½
Gain,	—	—	250 18 6½
1845, January 1,—Taken to 1st March,	106	8 2 0	37 19 7
„ to 5th April,	451	34 1 12½	153 18 4
„ to 30th April,	380	29 3 17½	133 16 3
„ to 30th May,	240	18 1 23½	62 18 1
„ to 30th June,	694	36 2 22	76 7 8
„ to 30th July,	369	20 1 23	39 8 4
7 tons 8 cwt. 1 qr. 14½ lbs. (7¼d. per lb.)	2,240	148 1 14½	504 8 3
Deduct Expenses,	—	—	319 18 1½
Gain,	—	—	184 10 1½

Destruction.

Examination of Mr. Martin continued.—There is a great quantity of fish destroyed at the mills in Leitrim; but he receives every assistance in the way of protection from the gentlemen along the river. He considers it would be a great hardship to be obliged to open his Salmon box or pond on the Old Bridge weir during the weekly and annual Close Times; and as there is no other Salmon fishery on the river, and as his is an exclusive fishery, he hopes to be exempted from the necessity of complying with the 37th and 40th sections of the Act. He has a sluice on the same weir, which is opened during the weekly Close Time; and if he were obliged to keep the pond open during the Close Time he would not have sufficient water for working his mills.

Protection.

John Stewart, sworn.—He is manager of Mr. Martin's fisheries, in the protection of which there are thirty-eight water-bailiffs employed from the 1st November to the 26th May.

He knows all the rivers tributary to the Sligo river. There are a good many spawning beds in the Bonnet river; it was from this river that the gravel was taken about seventeen or eighteen years ago; and the injury was done wherever the new road came near the water. Spawning commences in the Bonnet about the middle of December, and continues to the 1st February; the greatest quantity of spawning takes place between a fortnight before and a fortnight after Christmas. He has seen fish spawn in November; the fish spawn also in the lake and in the Glanade river. They spawn earlier above Manorhamilton than below where he lives. The spents descend to the sea as soon as they have spawned; there are very few of them in the river till March. The descent of the Fry begins in March; and they are all gone before the 26th May. He has applied to the police at Manorhamilton for assistance; but they stated, that if they were on the road they would not go off for the purpose of doing any thing relative to the fishery law. This occurred last Winter twelvemonths.

Mr. MULVANY observed, that this was before the instructions had been issued by the head of the police department.

Witness.—The people angle on the river between Dromahane and Manorhamilton; and they were always in the habit of doing so. There are no nets drawn in the upper parts of the river; nor are there any Eel weirs on any part of it. If January were open to every one to fish, the breeding fish could not be preserved. He has frequently seen the spawning beds torn up twice or thrice by the Salmon in one season; he has never known so many breeding fish to ascend the river as went up this year. The Salmon always spawn in a place where the stream is pretty strong and the sand middling coarse; the depth of water in which they spawn varies; he has seen them at work upon the beds with their fins over the water. There is a great quantity of what is called "Jenkin" in the rivers; he was not aware that they are young Salmon; they are caught in considerable numbers; and he never prevented persons from taking them, because he always considered that they were a distinct species. They are mostly taken in June and July. He has frequently argued with people who attempted to angle on the river, and told them that they had no right to do so; but he never applied to the police to prevent angling. He wished that something would be done by the Commissioners to prevent the sand or gravel from being taken out of the bed of the river. The Salmon which go up in January do not spawn till the year after; and his reason for that opinion is, because he has seen them above at Candlemas, and they were as white as snow, and without a particle of pea or milt.

Brian Regan, sworn.—He has been in Mr. Martin's employment as a fisherman these fourteen years. There are two nets used in the fishery—one of 120 and the other 100 yards in length. They are hauled from the Pool to Sligo bridge; they are set at high water, and draughted till the first quarter of flood. The weekly Close Time has been observed in the net fishery. Fishing used to begin in the tideway on the 26th May, and continue till the 12th August; it now begins in April, and ceases the 20th August. The upper rails of the weir have never been opened either in the weekly or annual Close Time. They are just the same now as they were before the Act. There is no four foot opening during the weekly Close Time; they close down the sluice in front of the rails; but do not take up the latter, so that nothing can go either in or out. There is a small sluice in the mill dam, which is opened during the weekly Close Time; this was always the practice before the late Act was passed. The sluice is opened in time of flood, by means of a boat. High water of neap tides does not come up on the weir; but he has seen spring tides flow over it. The spring tides in July and August flow over the weir higher than in February. He has often seen the Salmon go up to the weir in Spring and drop down again without attempting to pass; he has known the Salmon to attempt passing over the weir when the sluice was open. The weekly Close Time has always been observed in the lower weir since the late Act. The spents descend to the sea in April and May; they very seldom catch one in the nets. The pond is in fishing operation throughout the year; and the planks are all taken out when it is being fished. He often saw the Salmon put back from the small sluice when open.

Mr. Martin said that a four foot opening in the pond would exhaust the water of the weir, and prevent the mill from working.

Terence Rogers, sworn.—He is an angler since he was able to carry a rod. He has fished the Sligo lake, the Drumcliff river and lake, and many rivers in Ireland. If January be open to Mr. Martin, he is quite certain that the proprietors of the upper part will be deprived of all chance of taking any fish, because Mr. Martin draughts the river between the bridge and the weir on Monday morning, it being generally known that when Salmon enter a river they remain quiet for a day or two, and do not push on to the higher parts. It is only on Tuesday and Wednesday that Salmon are caught in the upper weir. Mr. Martin will not allow any person to fish with rod and line below the weir at Oldbridge. He allows gentlemen to fish between the weirs; but if a man angled there for a week he would not catch a Salmon; permission is also given to angle in the upper lake. During the last Close Season he summoned Mr. Martin for not having a clear opening of four feet through his weir, as the law required; the case was dismissed by the magistrates. He then appealed to the assistant barrister, and although he had the assistance of counsel, it was again dismissed with £2 costs. The case was, in both instances, dismissed on the merits and not for informality. In the appeal the assistant barrister, Mr. Robinson, called him a "speculating informer;" and said he would not attend to his charges. He frequently summoned Mr. Martin for not opening the crib during the weekly Close Time, but the magistrates always dismissed the case.

APPENDIX, No. II.

Sligo River.

River Bonnet.
Spawning.

Migration.

Angling.

Effect of opening
January.

Place for Spawning.

"Jenkin."

Mode of fishing.

Fishing time.

Weir.

Observance of Close
Time.

Spents.

January as an Open
month.

Angling.

Prosecutions.

APPENDIX, No. II.

Sligo River.

Mr. BARRY said he held in his hand a paper which he had just received from Mr. Martin ; it was a statement of the law proceedings which had taken place between that gentleman and the witness, Terence Rogers. The case which stood first on the list was as follows :— “ 13th June, 1844. Abraham Martin, Esq. against Terence Rogers, for fishing with rod and fly on Lough Gill, on the 31st May, 1844, and threatening Denis O'Hara, water-bailiff, if he prevented defendant from fishing he would take O'Hara's life. Fined 40s. Appealed.” He, Mr. Barry, wished to know from the witness whether the words just read fully stated the offence for which he was fined.

Terence Rogers replied, that the words just read were the words of the summons, and he was fined for the simple act of fishing on Lough Gill, and, as the water-bailiff said, threatening him, in case an attempt was made to prevent him, witness, from fishing. He appealed against the decision, and the sentence was confirmed.

Mr. BARRY inquired upon what grounds the summons for the non-observance of the weekly Close Time at the Old Bridge weir had been dismissed ?

Mr. Faucett replied that the case was dismissed because the weir alluded to was in the tideway ; the magistrates considered that the provision respecting the weekly Close Time did not affect a weir situate in the tideway.

BALLYSADARE FISHERY.

Ballysadare Fishery.

Obstruction.

Produce.

Fishing time.

George Brown, sworn.—Is a fisherman, and fishes the Ballysadare river below the fall. The Salmon cannot get over the upper fall on that river, but they can over the lower one. He saw five Salmon at one time and seven at another put over the upper fall, and he heard that a great many Salmon Fry were seen there about thirty-five years ago, when a quantity of breeding Salmon were lifted over the fall. He put one pair over it this year. He keeps no account of the produce, but he considers that he catches about 300 Salmon in the year. The greatest number he ever caught in a tide was twenty-five. He begins fishing in March and stops on the 20th August. During four months he kills on an average from four to five Salmon in the day ; the weight of the fish varies from four to eighteen pounds, and he once killed a Salmon sixty-one pounds weight. He would not know a Ballysadare from a Sligo Salmon. They never fish there after the 20th August.

RIVER EASKY.

River Easky.

Produce.

Season.

Spawning.

Thaddeus Langan, sworn.—Is fisherman to Mr. Ray, who owns this fishery ; it is improving the last couple of years : last year they caught 1,120 Salmon in 240 draughts, sixty pounds to the draught. He fishes with draught nets of 120 fathoms in length. They would wish that the season should extend to the 1st October, and commence on the 1st July. Spawning commences about eight days after Hallow-eve, and continues till February and even after that. The upper part of the river is fished in the Open Season ; if the river were fished up to the 1st October there would be enough of fish after to stock the river. There are no bag nets fished outside in the sea, but if there were the fishery would be all the better. Does not know when the fish go up which spawn in November.

Season.

Protection.

Thomas Flynn, sworn.—He fishes the upper, or, more properly, the river part of this fishery, for Mr. Jones ; the produce of this part last year was ten draughts, at sixty pounds the draught, thus making 250 draughts for the whole fishery. The season should be later on this river, because the fish do not come in, in consequence of want of water, until June. There are now no disputes about fishing at the mouth of the river. There are eight water-bailiffs on Mr. Jones' portion, and each of these is paid £2 a year, the head keeper is paid £5 a year, and the other expenses for nets and boats amount to £10 annually. All the fish is sold to cadgers, and the price all through the year is 3d. per pound. He considers it a hardship that people are allowed to fish outside.

DRUMCLIFF FISHERY.

Drumcliff Fishery.

Season.

Weir.

Mill weirs.

Trout.

Produce.

Brian Kerrigan, sworn.—The present season is suited to this fishery, but the fishery is decreasing. The entire fishery is in the tidal part of the river ; there is a weir upon it, which was erected twelve or fourteen years since, but it was not fished last year. There is at present but one box on this weir ; the place where the other was has been made a free pass. A weir always stood in the position of this one time immemorial. There are two mills on the river, and fish are taken at the weirs of both ; he has known them to be killed there with a pitch fork. The Trout do not come into the river till October. The cash received for one-half the produce was :—

£	s.	d.	£	s.	d.		
1840,	14	8	0½	1843,	4	19	10¾
1841,	6	16	2	1844,	5	5	7½
1842,	16	16	2½	1845,	11	11	6

Produce.

Protection.

Destruction.

Mr. O'Brien and others fished besides ; this is not, perhaps, the one-third of the amount returned. The value of the whole average produce may be estimated at £30 a year, but the fishery would make £60 if protected. It is not now protected properly, and it will be utterly destroyed in a few years. There were five water-bailiffs employed in 1840, and four in 1841. They are now losing the idea of protecting the river, because other people are coming in and fishing. The Fry are greatly destroyed at the mills. There is a police station quite near them. He has known as many fish to be destroyed since the 20th August as would be sufficient to stock the river. He would consider £4 a year a fair assessment upon each net for the purpose of protecting the fishery. Eight men would protect the river well, and if it were well protected there would not be a better fishery for sporting in this part of the country.

Lieutenant Hamilton, Inspecting Commander of Coast Guard, Sligo, stated, that persons acquainted with bag net fishing could most easily fish at Easky. Mr. Carr has had a most excellent fishery at Mullaghmore, which is a much more exposed situation; he could not have taken less than £100 worth of fish in his two bag nets last year. The permission for all to fish in the sea is a great boon; at Ballyshannon there has been sufficient fish for all, and he might say that all were engaged in fishing. Notwithstanding the quantity of fish taken on the coast, the fishery of the river has not been in any way injured. He has heard no complaints of fishing out of season, and he makes it his business to look minutely after the fisheries.

APPENDIX, No. II.

Sligo Fishery.

LETTER from ABRAHAM MARTIN, Esq., to the Commissioners of Public Works
and Fisheries.

GENTLEMEN,—Being informed that the Government intend making some amendments in the Fishery Act, during the next session of Parliament, I beg to direct your attention to the very peculiar circumstances connected with the Sligo Salmon fishery, of which I am the proprietor, in the hope that my rights, as well as the rights of those similarly circumstanced, may be protected in any amendments to be made in the Act of 5th and 6th Victoria.

Letter from Abraham
Martin, esq. to the
Commissioners.

In the first place, I beg to state, that I am sole proprietor of the Sligo Salmon fishery, with the bed and soil of the river which I hold in fee. It is "a several fishery," and there is no other Salmon fishery above me. I have managed it myself for the last forty-four years. I am also proprietor of the mills of the town, with the exclusive right to the water-power, which I also hold in fee, and have in my own hands. I have observed, that at a meeting of proprietors of fisheries held in Cork, it was resolved, in reference to the 29th and 30th sections of the Act, that "the Close Season should be general." Now, I have always commenced fishing (previous to the passing of the late Act) about the 20th December, and the season was generally over with me on the 1st August. The fish taken in the early part of the season were large, and very fine, and averaging from ten pounds to fourteen pounds each, while those taken in the summer are invariably smaller, seldom averaging more than four pounds to seven pounds. I never go up the river to fish, the Salmon being taken at the mouth of the harbour, by means of a box and nets, and at a distance of ten miles from those portions of the river where the spawning beds lie, so that the breeding fish could never be disturbed by my fishing about the 20th December, as before mentioned.

The Ballyshannon fishery, which is very extensive, is only twenty miles from this town, and yet the fishing season does not commence until the end of April. Under these circumstances, it is very objectionable that the Close Season should be general; it should rather be regulated according to the peculiarities of the different rivers, as it would be a serious injury to the proprietors of fisheries where Salmon are in season at Christmas (as in the case of the Sligo river), if they are not allowed to fish before March.

The next question to which I would beg to direct your attention, relates to the 37th and 40th Sections of the Act, which operate very injuriously in my case.

The Sligo mills, which I hold in my own hands, are supplied with water by means of a weir or dam, which is built above 200 years. In this mill-dam, and about the middle of the stream, is a waste gate, sufficiently large to allow the Salmon to go up the river. This gate is kept open every week, during the fishing season, from Saturday evening until Monday morning; and during the Close Season it is kept open continually, it being my interest, as the sole proprietor of the fishery, to do so; in fact, it is never shut unless when I am scarce of water for my mills. At the end of the weir or mill-dam, and on a plot of ground adjoining the river, I have made a large box or pond in which I can keep 200 Salmon alive for the space of a month, if necessary, until I can dispose of them by sending them to Dublin, and elsewhere. If I had not this pond, I would be obliged to salt the greater portion of the fish, as there is not a sufficient demand for them in this town, and consequently the fishery would not produce one-third of the profit it does at present, or even cover the necessary expenses.

Now, by the 56th section, mill weirs are exempt from Queen's gaps, if such gap should injuriously affect the supply of water; and the 63rd section requires the waste gates of mill-dams to be open from Saturday until Monday morning. This I do not complain of; but I do think it is a hardship, in compliance with the 40th section, to be obliged to open my Salmon box, which is on the same weir, and keep it open during the same period, namely, from six o'clock on Saturday evening until six o'clock on Monday morning. The 37th section requires that I should keep my pond open during the entire of the Close Season, which would leave my mills completely idle. The pond, as at present constructed, has a close sluice fronting the sea, and another facing the upper stream of the river, by which means I can keep the Salmon alive until I want them. In some seasons, when the water is low in the river, I am obliged to shut the pond altogether, and to fish with nets below my mills in the tideway, and during spring tides my mills are idle for three or four hours each day, in consequence of the back water. I have been thus particular, in order to show you that it is by taking great care of the water I am able to keep a supply to the mills; and I submit this statement of facts to your consideration, in the hope that the Government, in any amendment to be made in the law, will protect the vested rights of individuals, and that saving clauses may be introduced into the 37th, 40th, and 58th sections, exempting persons from the penalties, who shall substantially comply with the requirements of the Act, by having a sufficient passage for the fish to go up and down the river.

I would just add, that at the last quarter sessions, a pauper of the name of Rogers got up a prosecution against me for not opening my pond from Saturday evening until Monday morning, although he was obliged to admit that the pond was so constructed that no fish could possibly be taken during the prohibited period, and that the waste gate on the mill dam adjoining the pond was quite sufficient to allow the Salmon up the river. His reason for proceeding against me, he swore, was, that he expected to make £800 in fines, and that he had seventeen other cases to bring against me at the sessions.

I am, Gentlemen,
Your obedient servant,
ABRAHAM MARTIN.

SUBJECT OF INQUIRY.—THE FISHERIES OF THE BAYS OF BRANDON AND TRALEE, FROM THE BLASKETS TO KERRY HEAD, AND OF THE SEVERAL RIVERS TERMINATING WITHIN THESE POINTS; THE FISHERIES OF THE LOWER SHANNON, FROM THE BEEVES ROCKS TO THE SEA; THE RIVERS FEAL, GEAL, CASHEN, AND ASKEATON, AND ALL THEIR TRIBUTARIES; AND THE FISHERIES OF THE ENTIRE COAST, AND ALL THE RIVERS TERMINATING THEREON, BETWEEN KERRY HEAD AND SPANISH POINT, MILLTOWNMALBAY.

THE CASHEN.

The Cashen.
Breeding fish.

Peal.
Fishing time.
Migration.

Produce.

Observance of law.

Season.

Christopher Julian, esq., sworn.—Is well acquainted with the river Cashen; but as he is more familiar with that portion of it which is near the sea, he wishes to confine his observations to that part. The breeding fish do not ascend the river to spawn until the early part of October. Observed and examined the fish killed at the beginning of October, and they were then full in pea. He has seen parties taking fish at that time, and he told them it was a sin to do so. In his opinion no one should be allowed to fish in October, for the Salmon are not then fit for use; and, in another point of view, because of the destruction of the future stock, fishing at that time would be highly detrimental to the fisheries. He considers, however, that the Open Season terminates too soon. He has seen and examined the September fish; they were in full season, and the pea and milt but very slightly developed. All these observations refer to the fish coming in fresh from the sea. The first week in October the pea is very largely developed, but he has never known it to be so before that time. The Salmon Peal are taken in August and September. They always commence fishing on the 16th or 20th of June; the season never commences earlier than that time. The fish which ascend the river in October spawn in November, and return again to the sea in February and the beginning of March; all the spent fish are down the first week of the latter month. The descent of the Fry commences in March; the great bulk go down in April, and they are all clear out of the river at the early part of May. Large hauling nets are used in his fishery, but others are not allowed to use them, as the party under whom he holds claims a "several right," and no one has ever disputed such sole right with his lessor. He is in possession of the fishery over thirty years; it is on the north side of the Cashen, and he holds it by lease under Mrs. Herong. The most rent he ever set it for was £20 a year. The expenses of the fishery average about £60 a year, and the average yearly produce may be considered to be 1,500 fish. The Peal are from five to seven pounds weight. The seasons are very variable in their produce; last year and the year before were reasonably good, but the year immediately preceding these, the quantity of fish taken did not pay the expenses. He ceased fishing on the 20th August last year; but, if he were rightly informed, the Close Season was not generally observed. It was strictly observed in the lower part of the district, where the coast guard station is, but in other places no attention was paid to it. He himself saw a boat, in October last, with nets and fishing gear all prepared to fish. He has fished with the rod occasionally, but has never taken any interest in angling. There is a species of fish, locally called "the Pink," found in the Cashen in the month of April; they are taken indiscriminately at that time, and, in his opinion, they are the young of the Salmon. There is now no stake weir on the Cashen; there had been one at Kilmore, on the south side of the river, but it was removed before the late Act. There is no fishing or mill weir on this river; but there is a mill weir on the Geal which affords a facility for the destruction of the fish; for persons cut the bank there, and letting the water in on the lowland, the fish are then killed in great quantities. He employs no water-bailiff to protect the river. A protective society was formed in 1843, but it does not now exist. The subscriptions were withdrawn, the retiring members of the society assigning as a reason, that they had not sufficient interest in the protection of the river. There had never been any protection before that time. The 1st of May is the earliest time they have a fair quantity of Spring fish; before then the quantity coming in is so small as not to pay the expense of keeping large nets, which they are obliged to do at his fishery. He would have the Open Season extended to the 20th September or 1st October. It would be injurious to the fishery to fish after that time; but if the fishing season were made to terminate then, there would be sufficient time to enable the breeding fish to go up for the purpose of spawning; and if the Close Season were extended somewhat farther into the following year, the fish would be rendered more secure on the spawning beds, and could pass down to the sea after spawning without the danger of being injured. The bag nets have not been used in the Cashen district; the coast between the Cashen and Ballybunion has been examined, and pronounced to be unfitted for the bag net fishery.

THE FEAL.

The Feal.

Spawning.

Alexander Elliott, esq., sworn.—Is particularly acquainted with this river about seven miles from Tarbert, and half a mile below Listowel. There are spawning grounds there; and he has minutely attended to the operation of spawning. All the fish which go up the river are going up to spawn; and the general run of fish upwards is about the 10th June. The fish spawn from the 1st November to the 1st February, and some short time after. Those

Salmon which spawn early in November, enter the river about the 1st September. He agrees with Mr. Julian, that he can catch good fish in September, but he has also seen them large in pea and bad in that month. He has killed September fish quite red and very large in pea, both in his locality and higher up. The spents generally run down to the sea the first floods in February, and continue their descent till the 1st May. Those fish which spawn late remain in the river till May: a general system of angling would be injurious before the month of May; because after spawning the fish are quite voracious, and will take anything that is offered them. The general downward run of Fry is in May; they are all down at the end of that month, but this, of course, depends on the state of the water. All these observations refer to the upper part of the river. There is a mill at Kinganniff, and the weir there is a source of great destruction to the fishery. There is no sluice to this weir, but he considers the obstruction necessary to the water-power of the mill; the obstacle is more fatal to the Fry and spents coming down, than to the fish going up. There is no fishing weir on the Feal or Geal; but on a tributary river called the Smearna there is an obstruction where the fish can be most easily gaffed; it, however, offers no impediment over which the fish cannot pass. The Smearna is a good spawning river; the best spawning ground of the Feal is from Listowel to the source, from twenty to twenty-four English miles, and nine miles by water from the mouth of the Cashen. The fish will always ascend to the high parts of a river to spawn if they have a facility for doing so. Taking all things into consideration, the ultimate benefit of the fisheries, and a fair distribution of fish, he considers that the best and fairest average fishing season would be from the 1st May to the 10th September. If general permission were given to fish before the 1st May, the fisheries would be injured; and in his opinion the benefit arising from an extension of the Open Season would be nullified by persons being allowed to commence early. He has seen great numbers of Slats killed in February, March, and April. If the Feal, Geal, and Cashen were protected, their fisheries would be of immense value. It would be exceedingly desirable to establish a compulsory system of assessment for the purpose of protection. The most equitable and judicious mode of assessing would be by putting a tax upon the engines used for fishing. The system of assessment* agreed on at the meeting of representatives from the different rivers in Munster, held in Cork on the 22nd October, 1844, is very good as a general principle; and the only objection he has to it is, that in his locality it would not produce a sufficient sum; it would not in fact give two water-bailiffs to the Feal. A protective society was formed in 1843; £46 was the entire sum received, and the subscriptions were paid only one year. He fishes merely for amusement and for the purpose of obtaining a supply of fish for his own house. His net is used about half a mile from Listowel. It would be desirable that persons living on the upper parts of rivers should enter into a compact not to use nets at such a distance from the sea; and he would be most happy to give up his net at any time. There were a great many prosecutions for violations of the law, during the existence of the protective association. Each water-bailiff was paid £5 a year, but they did not do their duty; they were poachers themselves and encouraged poaching in others. There have been prosecutions in this district for breaches of the fishery laws. One person was fined £2 or one month's imprisonment for killing a breeding fish. He is a magistrate, and has very often reason to complain of the leniency of his brother magistrates where there have been prosecutions for violations of the Close Season. He is convinced that it is necessary for the effectual working of the law, that a scale of minimum penalties be added to the Act, according to the nature and frequency of the offences committed; the discretionary power at present vested in the magistracy, has not, in its exercise, been attended with beneficial results. He has caught a good many of the Pink; he never made any experiments upon them, but thinks they are of a species distinct from the Salmon. They appear in the lower part of the river first; they are seen in the month of April, and there has been no restriction to killing them as they have been always regarded as a distinct species. The practice of poisoning with spurge, lime, and flax water prevails to a great extent on the Feal. He has frequently given permission to persons to angle in this river, and they were the very first afterwards to poach in the Close Season.

George Hewson, esq., sworn.—Is proprietor of a fishery situate where the tideway ends at the junction of the Geal with the Feal. It is on the south side, and his father has a fishery on the other side. Spring tides go up about a mile above his fishery. He fishes with haul nets, and has generally commenced fishing about the 1st June; they might make one or two hauls before that time. Since the late Act passed they have stopped fishing the 20th August; but before then they were in the habit of fishing till after the 1st October. He has generally observed that the pea of the fish is largely developed about the 1st October, and sometimes earlier; but it is impossible to form a notion of the exact time at which it is first developed. He had been one of the persons instrumental in forming the protective asso-

APPENDIX, No. II.

The Feal.

Migration.

Season

Assessment

Operation of the law

Minimum penalties.

Fishing time.

* System of assessment above referred to—

That a fund be raised to carry out the provisions of this Act, by imposing an annual tax or licence on the following engines for killing fish.

On all fishing weirs, stake and fixed nets, a charge of 5 per cent. on their value, according to the Poor Law valuation, when such value amounts to or exceeds £100.

	£	s.	d.
When amounting to £60, and not to £100, each,	4	0	0
When under £60,	3	0	0
On each other Net used for fishing in rivers frequented by Salmon and Trout,	2	0	0
" Boat	1	0	0
" Rod and line,	0	10	0
	Y		

APPENDIX, No. II.

The Feal.

Cobble nets.

ciation referred to by the preceding witness; the parties withdrew from it, because they did not think it worth their while to pay for protection, as many of them had but little interest in the river. No change was observed to take place in the fishery after the protection in 1843; it was too short and inefficient to produce any alteration in the state of things which had previously existed. It was not until this year that he observed the police aiding in protecting the fishery, and he considers that their assistance, as far as it went, was beneficial. Some years ago a different proprietor had the fishery which he now holds, and short or "cobble nets" were allowed to be used there by various parties; when he came into possession he discountenanced their use; but these persons have been since fishing contrary to his wishes. It was only at night that this mode of fishing was practised; and he considered it should be done away with, as it prevented the run of fish. He conceives that the parties who use these "cobble nets" have no right of fishing except that derived from the payment of rent for the privilege; the practice is only pursued in that locality; and it is his belief, that rent was formerly paid for permission to exercise this mode of fishing; but he is not now in a position to prove that such was the case. It is carried on in the tideway; and in a place where the river is navigable for ten or fifteen ton lighters; but the river is so narrow there that one could throw a stone across it. The most desirable Open Season for this locality would be from the 1st May to the 20th September; he conceives it to be injurious to the fishery to commence fishing before the 1st May; but supposing it was necessary to fix the 1st February as a general time for commencing, the clause which imposes a penalty for having spent fish in possession would be a sufficient protection of the fisheries in the early season.

Spawning.

Thomas M'Elligot, sworn.—Is well acquainted with the spawning grounds of the Feal; the best are situate between Kilmeany and Feal bridge. He has never observed the spawn on the scours; but he has killed the fish before and after spawning. Is of opinion that the general spawning time is November, December, and January. Those which enter the river early spawn sooner than those which go up at a later period. He has often killed fish in the month of September; they are getting red in that month; the pea in some is pretty large, while others are in good condition. The red fish are those which have been a long time in the water; the fish freshly run from the sea are white and sound in September. The pea becomes very large in the month of October.

THE LOWER SHANNON.

The Lower Shannon.

Season.

Uniformity.

The Knight of Glin, sworn.—Is deeply interested in the fisheries of the Lower Shannon; having carefully considered the subject of the present Close Season, and having endeavoured, as far as possible, to ascertain the general feeling entertained in that locality with regard to it, it is his conviction, in accordance with that feeling, that nothing can be better or more suitable than the season at present fixed by law. That season has given general satisfaction; and any alteration would, in his opinion, be for the worse. He knows nothing of the tributaries of the Shannon, nor has he any knowledge of the Feal or Geal. He is not acquainted with the spawning grounds, nor with the time of spawning in the river and tributaries. The weekly Close Time has been observed in the Lower Shannon as strictly as it was possible; and in his opinion, it is a fair thing to give to the upper proprietors the share of the fish secured to them by the weekly Close Time. He, however, considers it a hardship that, on occasions when the stake weirs cannot be fished for three or four days, the owners should be obliged to open the chambers at low water before six o'clock on Saturday evening, and thus allow all the fish which had accumulated there, to escape. He does not consider that uniformity of season should be maintained, as, in his opinion, it is impracticable and works an injustice. The present Close Season, although suited to the Shannon, is quite unfitted for some of the Cork rivers; and actually allows fish to be taken there at an improper time; while it prohibits their capture at a time when they are in best condition. A difference of season would, he freely admits, be attended with great inconvenience; and to some extent reduce the power of the Commissioners and the public executive departments to enforce the observance of the Close Time; but if the peculiar circumstances of rivers were consulted and provided for, the persons having rights in them would be so much more interested in their improvement, that they would give every facility for due protection; while, by forcing an unsuitable season upon them a general indisposition to protect the rivers is created. Is not prepared to say that the season should be the same for the different parts of the same river; but certainly great difficulty would arise from such a division. An association has been formed by the persons interested in the Shannon, for the protection of the river. A considerable meeting was held some time since, and so much as £60 were paid in the room. Circulars have been since issued, explaining the object of the association and calling on other parties to subscribe, and he anticipates full and complete success.

Bag net.

Mr. Daniel Morton, sworn.—Is a native of Scotland, and is engaged in the bag net fishery at Tarbert. He has from four to six bag nets, and they are set from the back of Tarbert light-house to somewhat more than a mile seaward. He commenced fishing in that locality, for the first time, last March, and fished on to the end of the season. That was the first time the bag nets were used in this neighbourhood. The fishing last year was pretty fair; they laboured under considerable difficulties at the commencement in consequence of being unprovided with anchors and other things; but, on the whole, they had no reason to complain. It is true there was no profit; but their fishing there was only an experiment, and as an experiment it was successful. Tarbert and many other places on the lower Shannon

are suitable for the bag net fishery. He fished under permission from Mr. Keays; at first they paid him nothing; but latterly they compensated him by giving him a share of the fish. There are good places for bag net fishing in Ringabella bay, and near the Cove of Cork; the south-east coast is also favourably circumstanced; and generally wherever the water is deep in the lower Shannon this mode of fishing will be successful. A uniform season would be advantageous as far as keeping down poaching; but it would have the effect of destroying one man's property while it would make that of another. He considers that the season should be extended for every fishery on the Shannon *below Glin*; in fact, in all cases the season should be extended the nearer the fisheries approach the sea. The Salmon caught up to the 20th August in his fishery last year were as good as those taken in June; and if he had been allowed to fish till September, he would have caught as much in the additional time as in the entire month before. From the 1st February to the end of August would, in his opinion, be the best fishing season for the lower Shannon. He has experienced no malicious interruption to the prosecution of his bag net fishery; one of his nets was seized during the season; but it was in consequence of a question as to whether it was placed on the Royalty within which he had permission to fish.

Patrick M'Auliffe, sworn.—Lives on the Clare side of the Shannon, opposite Glin, on the property of Mr. Vandeleur, and is the owner of six bag nets, four of which only he fishes at the same time. Commenced fishing last year the 18th March, and continued till the 20th August. The last season was pretty favourable. He killed about £60 worth of fish, but he had only two nets fishing at the commencement, not having got the others over from Scotland till a later period. Each of his nets, including warps and all things necessary, costs £15 10s. He is determined to continue the bag net fishing, and he expects it will be prosperous; at all events, he is not disheartened, and he has acquired a great deal of experience by the trial of last year. He has brought over a Scotchman specially for this fishery, and they have become partners in it. The present season is very well suited to the lower Shannon; and after an experience in draught net fishing of eighteen or nineteen years, he is firmly of opinion that it would be attended with no beneficial result either to commence fishing earlier or to extend the fishing to a later period. Witness has no knowledge whatever of the spawning grounds of the Shannon. The Close Season has been pretty generally observed in this district, and there have been some prosecutions for violations of it. Witness has six or seven stake weirs of his own; is part owner of the Ringmoyle weir, and of other weirs also in a different locality. Each of his stake weirs clears, on an average, £10 a year after all expenses. The produce of the Ringmoyle weir last year was about £80 worth of fish; and, considering the expenses, it did not more than clear itself. Some of the other weirs are better, and some a great deal worse. The last was a bad year in the stake net fishery. There are about thirty stake weirs in Clonderlaw Bay; one in Labasheeda Bay, about eighteen from Kilkerran to Cahiracun, and about twelve from Clonderlaw to Kilrush; all these are on the Clare side. There are none farther west than Kilrush, nor any at Carrigaholt. He has observed the Sunday Close Time in his bag nets, but often experienced great difficulty in doing so. The owners of stake weirs sustain a great loss by the manner in which they are obliged to observe the weekly Close Time; for it often happens that, in consequence of the state of the weather, the weirs cannot be fished for three or four days, and as it is now necessary to open the pocket on Saturday night, they consequently lose all the fish which had collected there during the time. They do not desire to be exempted from the observance of the weekly Close Time, but they wish to be allowed in such cases to put a rail over the pocket, for the purpose of keeping the fish there until it can be fished, and make an opening in another part of the weir. This opening would be quite sufficient for the observance of the Close Time, and the produce of the three or four previous days' fishing would be thus preserved. The pocket of the weirs is in deeper water than the other part, and a rack could be put in it, and an opening made in the back rail at a time when the state of the water would permit them to fish the weir. There is a stake weir at Berraun, to the west of Clonderlaw Bay, so placed as to be out in the deep water at the lowest water of spring tides. He never heard any complaints of the stake weirs being injurious to navigation, and is of opinion that they are rather a benefit to it than otherwise.

John Barret, sworn.—Is the owner of a stake weir on the southern shore of the Shannon, near Foyne's Island. The following is the number of weirs on the Limerick side, from the Beeves Rocks down to the mouth:—two at Ahanish; two at Colgriffe; three at Foyne's Island; two at Leahy; one at Stranfield; one at Mountrenchard; one at Colehill; three at Loughill; two at Kilteery; one at Kilcollan; two at Cahara; two at Glin; one at Ballyoolahan; one at Farnmillar; one at Ballydonohoe; one at Tarbert; one at Coolinanwilliam; one at Ralapan; two at Kilcolgan; two at Reinturk; one at Carrig Island; and two at Astee. £50 a year, or something less, is about the average gross produce of each of these weirs; out of which all expenses of fishing, wear and tear, are to be paid. He has frequently lost £10 in the year by his stake weir. The stake weir fishery has been destroyed by the great number of weirs that have been erected.

John Hector, sworn.—Is a native of Scotland, and came to this country in March last, to prosecute the bag net fishery. He was previously engaged in the bag net fishery in his own country. Carrigaholt, although apparently suitable, is not a favourable place for the bag net. There are places in Cork very well adapted for this mode of fishing. He fished this season off Tarbert; and Mr. Morton, Mr. Keays, and himself are engaged to fish there the ensuing season. He observed the weekly Close Time as far as it was possible, by opening the door of the net; but it is impossible to observe it strictly, because the net is

APPENDIX, No. II.

The Lower Shannon.

Season.

Bag net.

Produce.

Season.

Stake weirs.

Produce.

Number of stake weirs.

Regulations for weekly Close Time.

Number of stake weirs.

Produce.

Bag net.

Weekly Close Time.

APPENDIX, No. II.	set in deep water; and if the chamber be opened on Saturday night, in case that rough weather and neap tides occurred on Monday and the following days, they could not get out to set the nets again, and thus they would sustain a very great loss. They would have had much better fishing last year, if the season had been longer; for, on the 20th August, they were getting more and better fish than in July. The nearer the fish are to the sea, the better they are; and great quantities of fish are taken along the coast by the bag nets which would never enter the rivers.
The Lower Shannon.	
Clonderlaw Bay. Stake weir.	<i>Mr. Daniel Molony</i> , sworn.—Is agent to a fishery in Clonderlaw Bay, belonging to Mr. Westropp. There are about thirty stake weirs in this bay, which he considers illegal, and he has made every effort to have them removed; but, in consequence of a defect in the law, he could not succeed. These weirs are so multiplied that they are an injury to navigation; some are erected by right of land, but others without any colour of authority whatever. The breadth of the channel in which they are placed is less than three-fourths of a mile at low water of Spring tides; and he proceeded against them under the 22nd section 5th and 6th Victoria, c. 106, but all his prosecutions failed. He obtained many convictions, but could never get the warrants signed by the magistrates or the assistant barrister. There are two rivers flowing into the bay of Clonderlaw, and it cannot therefore be regarded as part of the Shannon channel. This defect in the law should, in his opinion, be remedied. He is persuaded that the Close Time can never be enforced unless a number of persons are set apart to attend to that duty alone, for as the case stands at present one man will be obliged to open his weir during the Close Time while that of another will be allowed to remain shut. He has seen several stake weirs in which the weekly Close Time was not at all observed last year.
The law.	
Illegal stake weirs.	<i>Daniel Sheahan</i> , sworn.—Resides at Glin, and is well acquainted with the stake weirs on the Limerick side of the Shannon. There are two weirs illegally placed on the property of Lord Mounteagle, near the rock of Foynes—one on the north and the other on the south shore. One of them is an abrupt interruption to navigation, and the channel in which they are placed is under a quarter of a mile in breadth. Mr. Keays is the owner of these weirs, and there is a third illegal one on the south shore of the island of Foynes, which is at present in dispute; it was held by Thomas Simmonds, and erected by him, by permission of Mr. Keays, under Lord Mounteagle. Lord Mounteagle formerly relinquished his claim to the stake weirs to Mr. Poole Gabbet; he, however, resumed his right again, and, in 1842, he dispossessed the tenants then holding the stake weirs on his property, and set all the fisheries together to Mr. Keays for £80 or £90 a year. Witness owns a weir at Ahanish; it is one of the worst on the river; the expenses attending it are about £30 a year, and during the last two years the gross produce did not yield more than that sum. There are two other weirs illegally placed, being just at the mouth of the Ouvane, which is a spawning river, and flows into the Shannon.
Produce.	<i>James Brown</i> , sworn.—Is agent and bookkeeper to the Messrs. Keays and Roynane. The quantity of fish purchased in their establishment in 1842 was about 3,000 Salmon and 12,000 Peal; that quantity includes the produce of Mr. Keays' stake weirs, as well as the fish bought from several persons on the lower Shannon. The general average weight of the Salmon is from eleven and a half to twelve pounds, and of Peal six pounds and a quarter. The average prices this season were, for Spring Salmon, 1s. 3d. per pound, from February to May, and 5½d. from that time to the 1st August. These two or three last years he has bought about half the produce of the entire lower Shannon. There is no organized system of protection established by the people of the lower Shannon, but a feeling is now being produced that such a system is necessary, and they will pay water-bailiffs to carry out the law. They are all quite aware that their interests will be promoted by having the upper waters protected. Witness has a stake weir of his own on the Shannon. Commences to fish on the 12th February, and has taken but few spent fish at that time: since the late Act the spents have been returned to the water, but they used to be kept before. The general run of fish to the 1st August have no tendency to enlargement of pea, and after that there is a run of Harvest fish, the greater number of which are good. He considers it would be an improvement to alter the fishing season to one commencing the 1st January and ending the 1st August. The present season is suitable, but when the river shall have been protected, and the season be made to close early, there will be a run of good Spring fish in January. An early fishery is, of course, the most valuable, and if the season be extended to a late period the fishery will become a late one. The season he proposes would also suit the Feal and Geal: the principal fishery in these rivers is in July. He has bought, and minutely examined the Cashen fish; they are so different from those of the Shannon that he would know one of them among a thousand Shannon Salmon. The Cashen fish are just as much advanced in pea in August as those of the Shannon. The lateness of the Feal and Geal is caused by fishing too late and want of protection; but they would have Spring fish there as well as in the Shannon if the rivers were protected.
Prices.	
Fishing time.	
Season.	
Best months. The Cashen.	
Stake nets.	<i>Mr. Thomas P. Hodnett</i> , sworn.—Is a fish-buyer at Glin, and also proprietor of stake nets; some of these are at Ralapane, some at Clonderlaw, and others at Glin. Holds the power to establish stake weirs in Clonderlaw Bay from the Hickman family, whose rights exist on the north side of the bay. He holds no land there, and originally paid £50, but now pays only £30 a year for the right of stake net fishing. His fishery is greatly injured by other parties forcibly erecting stake weirs within his bounds, and thus encroaching on those rights which the Hickman family have held time immemorial. The parties erecting these weirs have no land, nor permission from the occupying tenants. Some of the stake weirs

in Clonderlaw Bay are erected where the channel is not three-quarters of a mile in breadth. APPENDIX, No. II.

Daniel Creagh Harnett, esq., J.P., sworn.—Is well acquainted with the locality about Clonderlaw, and has frequently heard of conflicts taking place there, about the erection of stake weirs. He considers it essential to the public peace that the rights of the several parties be defined, and the matter set at rest as soon as possible, as he apprehends that lives will be lost in the collisions which so frequently take place.

The Lower Shannon.

The evidence of this gentleman closed the inquiry.

The following declaration was handed in by the Knight of Glin, signed by him and twenty-six other gentlemen and persons interested in the fisheries of the Lower Shannon:—

We, the undersigned persons interested in the fisheries of the Lower Shannon, are of opinion that the present Act, 5th and 6th Vict., is, with respect to the Close Season, sufficiently protective of the breeding fish, and that it requires no change.

EVIDENCE taken before J. R. BARRY, Esq., at LIMERICK, on MONDAY, DECEMBER 15, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF THE COAST BETWEEN SPANISH POINT, MILLTOWN-MALBAY, AND BLACK HEAD, IN THE COUNTY OF CLARE; THE RIVERS FERGUS, ARDSALLUS, AND OUGRENEE, IN SAID COUNTY, TOGETHER WITH ALL THEIR TRIBUTARIES; THE RIVER MAGUE, IN THE COUNTY LIMERICK, AND THE UPPER SHANNON, WITH ITS SEVERAL TRIBUTARIES, FROM ITS SOURCE TO THE BEEVES ROCKS.

THE UPPER SHANNON.

Simon George Purdon, esq., D.L., county Clare, sworn.—Is well acquainted with the upper part of the Shannon, in the neighbourhood of Killaloe, and also Lough Derg and its tributaries. He knows the spawning grounds, and has paid attention to the operation and time of spawning. It commences a little before Christmas; the greatest quantity takes place the first week in January, as far as his observations enable him to judge, and all spawning is over at the close of January. He has frequently examined the fish taken in August and September, they are then in good condition, although foxy in colour; the pea is fully developed, but they would not spawn till Christmas, nor is the pea so far developed as to unfit them for food. The spents commence their descent to the sea in the beginning of February, and the greatest quantity go down the first fortnight in that month. They have, however, been taken in May, and those which had spawned in Lough Ree and the higher parts, are, when found in May, quite recruited, *as far as colour*, but still requiring the sea to restore them perfectly to condition. The spent fish are exceedingly voracious; and in order to prevent their destruction, he considers it necessary that all fishing should be prohibited in the upper waters until the 1st March, as the earliest time for commencing. He would not, however, object to the season commencing the 12th February, if there were water-bailiffs on the river. There is, to a certain extent, a system of protection on the upper waters. A preservative association was formed this year, and there are now some water-bailiffs employed. In this effort at protection, no assistance has been received from the proprietors of the lower fisheries. The stake weirs in the lower waters should not be allowed to fish until the other modes of fishing in the higher parts, in order that a stock of fish might be permitted to pass up to those who have interests above. The Salmon are good wholesome food, up to the 20th September. The Nenagh river, one of the tributaries of Lough Derg, is very well preserved by a body of gentlemen, who have associated together for the purpose; but the Scariff, another tributary flowing from Lough O'Grady, is utterly neglected. The latter is a river about which nobody takes any trouble, and it is therefore completely at the mercy of the poachers; there is no several fishery upon it. Nets are stretched across the mouth of this river; spears, gaffs, and lights are used without limit; and there is a mill weir upon it, where great destruction takes place, without any participation on the part of the mill owner. The use of draught nets is general in the district of which he speaks; the river between Castleconnell and Killaloe is let for net fishing. The general Open Season for the Shannon, upper and lower, should be from the 1st March to the 20th September; after that time, a quantity sufficient for the future stock of the river would ascend to the spawning grounds. He has considered the subject of a compulsory tax for the protection of the fisheries, and it is his firm conviction that their improvement essentially depends upon such an assessment. The plan he would suggest is, first to assess the proprietors of "several fisheries;" where no "several fishery" exists, he would impose a tax on each net, and finally require every angler to pay a certain sum for licence to fish. He recollects the resolutions on this subject, adopted at the meeting of the representatives of the Munster Fisheries, held in Cork, and fully approves of the project there proposed. In fact, the only effectual mode of coming at all persons interested in the fisheries is, to tax the engine used; and he is fully convinced, that unless such a system be adopted, the preservation of the fisheries can never be secured.

The Upper Shannon.

Spawning.

Migration.

Season.

Protection.

Destruction.

Season.

System of assessment.

John Boyce, junior, esq., sworn.—Witness has taken some interest in the formation of an association for the protection of the upper Shannon, to which association he has been secretary for three years. It was formed in 1842, after the passing of the late Act; and the first year of its existence the funds amounted to between £80 and £90, which was expended in the employment of a number of water-bailiffs, duly appointed under the Act, Protective association.

APPENDIX, No. II.
The Upper Shannon.

and whose appointments were sanctioned by the magistrates. The system was most effective during the operations of the society, namely, in 1842 and 1843. For want of support it ceased to exist in 1844, but it has sprung up again in the present year. In 1842 and 1843 they had a respectable fund, and were assisted by some of the gentlemen on the lower Shannon; but the association was principally composed of gentlemen living in the neighbourhood of Castleconnell, Doonas, and Killaloe, and of others who were in the habit of resorting to these places for the enjoyment of fishing. In the October of the present year the revived society commenced, with the subscribed fund of £27. By curtailing the wages of the water-bailiffs, he had been able to pay the expenses of protection up to this time, and he hopes to be able to continue the protection for three weeks longer. He pays each water-bailiff 10s. per week during the Close Season. Employs in protection the fishermen on the river, and it is but justice to say of them that they discharged their duty most faithfully. The association of this year has been formed as an experiment rather than anything else, and he is confident that if the proprietors of fisheries about Doonas would open the fishery for one day in each week to keen sportsmen from Limerick, he would get towards protection £25 or £30 more than he now receives. The river from Killaloe to Thomond Bridge could be efficiently watched during the Close Season for £150 a year, but there should be water-bailiffs during the Open Season also. Fifteen miles of the river could be completely preserved the entire year round for £300. They obtain no aid whatever from the coast guard, for the station is thirty miles from Limerick; and as to the constabulary, they are not the sort of persons who would be efficient in protecting; their habits and education do not fit them for the duty, and their other obligations are too numerous. Where they are in the immediate locality, they are, to some extent, efficient; but where they have to go to a distance, they can be of no assistance. Witness is acquainted with all the nursery rivers from Limerick to Killaloe; he knows the Mulkear, the Blackwater, the Nenagh, and the Scariff. He coincides with Mr. Purden, the preceding witness, that the stake weirs should be restricted from fishing till the 1st March, and that the fishing season, both above and below, should be from that time till the 20th September. As an experienced angler, he knows that there are plenty of white fish in the river after the 20th September, and is fully convinced that it would in no way injure the fishery to extend the Open Season to that time. The great object for all should be to prevent the destruction of spents and Fry; and there should be, therefore, a restriction to fishing at an early period. It was formerly quite the fashion to feed the pigs on Salmon Fry; he has known so many as forty dozen of them to be killed by one boat in a day's fishing. Great destruction of them still takes place; a wholesome restraint is, however, imposed, by the knowledge that it is penal to have Fry "in possession" at any time of the year. The alteration of the weirs on the Shannon, by the Shannon Commissioners, has produced an improvement as regards facility for the descent of the Fry. It was quite usual, at one time, to catch eight or ten Salmon in a day with a single rod on the streams of Doonas, but latterly he has fished there for several days consecutively, and did not catch a single one. He is of opinion that the Fry do not come to maturity until two years after the ova are deposited, and that they return as Salmon Peal the third year. He knows the fish called "Gravelling," it is not identical with the "Pink;" they are different in shape and in colour. The "Pink" is a very beautiful fish, and in appearance nearly resembles the Dace, which he has killed in great quantities in the Thamaes. The Pink abounds in the Cashen river, and he has taken hundreds of them there. The Gravelling is not, in his opinion, the young of the Salmon; it is quite a distinct species. He has not made any experiments upon the matter, but he has read the statements of Mr. Shaw of Drumlanrig, and his opinion remains unshaken. The spawning generally begins about the 10th or 15th December. There have been some prosecutions by the Association for breaches of the law, and they found the magistracy co-operate with them to the fullest possible extent in carrying it effectually into operation. He heard that this was not the case in other localities; and he considers the fixing of minimum penalties indispensably necessary. The discretion which is left to the magistrates generally has worked very great injury; and so far from its being an insult to the magistracy to fix "minimum penalties," they would be obliged to the Legislature if it constrained them as to the penalties to be inflicted. He thinks that all persons who fish, whether for pleasure or interest, should be assessed for the protection of the fisheries. A per centage should be imposed upon proprietors, where proprietors exist; and every engine, whether weir, net, or rod, should be taxed according to its efficiency. The fishermen would be glad of such a regulation; which, in addition to the other advantages attending it, would furnish a restraint upon improper fishing. By voluntary contributions he might be able to raise a sum necessary for partial protection; but *entire and effectual protection*, such as can alone permanently improve the fisheries, can only be effected by a fixed system of assessment. Without an adequate fund, a local authority, and a number of persons properly set apart for the duty, the Shannon can never be preserved, or made to yield the produce of which it is capable.

Thomas Clancy, sworn.—Is a fisherman, and fishes with draught nets both above and below Limerick. Has been fishing since he was able, and knows the spawning grounds of the Shannon well. He was never a water-bailiff; but the way he became acquainted with the spawning grounds was, that last Summer twelvemonth the water ran low in the river, and they considered among themselves, and went up the river to make new draughts. He then saw the Salmon on the scours, but never saw the pea in the beds. The fish commence making the beds in the middle of November, and the season for throwing out the spawn

Spawning.

is from the middle of December to the middle of January; some spawn two months before and after that time. The spents go down in the greatest numbers the first week of April; they are killed as much now as before the Act, and when caught are never thrown back into the water; even the gentlemen who hook them give them to the cotmen and the servants who attend them. He himself killed eight spents in one night in April; it is well known that they are not good for food, and that it is illegal to kill them. There has never been any one brought to conviction in Limerick for killing spents. Odd Fry go down in February, but April and May are the principal months, and they are all down in May. The latest time he took Salmon was the 10th October; this was the general stopping time even in the season just past. He never fished so late as this any year before, and he continued fishing because he had no employment otherwise. He saw the fish taken at that time opened; they were full of pea, the grains of which were very large. The Salmon are unclean from the 1st September, and from that time it is as great a sin to kill them as it is at Christmas. It was, however, the general practice to do so, and any one who did it never had an hour's luck. The 1st February is a safe time to begin fishing, and the season might be extended to the 1st September, but no farther. He fishes in February, and takes more White fish than spents in that month. It is very important to the poor fishermen to be allowed to fish in February, because the fish are then valuable, and the men have nothing else to do. He knows that the spents, *if they were as delicate as egg shells*, when taken in the nets, could be returned to the water without injury, if the persons who took them were so disposed; and he considers no punishment too great for those who kill spent fish. He has, however, killed them himself, because even though he were to give up the practice others would continue it, and if he staid at home others would supply his place. The slob weirs destroy great numbers of spent fish; it is the habit of these fish, after having passed the weirs, to return up again with the White fish, and they are then taken along with them: this he has heard from the persons who worked these weirs. There are three men engaged with him in his net; it is about eighteen or twenty feet in length, and about two fathoms in depth; it is fished between two boats, the smallest that are used in fishing. There are eleven nets from Limerick used in this quarter, and there are others used at Doonas and other places. He considers the seven inch mesh too small for the fishery; a mesh of nine inches is the least he would allow. They catch very few Trout in consequence of the size of the mesh, but the Salmon fishery is their object. There is a practice of sweeping nets of double length on the river, and driving the Salmon into them with stones; this injures the bed of the river, and is most destructive to the fisheries; it is not, however, done in the Close Time. The gap in Mr. Gabbett's lax weir is not sufficiently clear, nor in a position favourable for the passage of the fish. The sills belonging to the fishing gap have been taken away, and that has lessened the water at the shore and middle gap; thus a new impediment has been made since the late Act. He considers that the Close Season for Eels should commence on the 1st instead of the 10th of January, for there is a great deal of spawning about Killaloe up to January, and when the Eel nets are down they destroy a great deal of spents; besides, there are little or no Eels caught at that time. The sweep nets kill a great deal of Salmon Fry; the meshes of these nets are so small that one could not put his finger through them. The manner in which they are fished is this: one man stands on the shore with one end of the net, while another goes out in a boat and sweeps over to the opposite shore, taking all sorts of fish that come in the way: he has seen eight or ten dozen of Fry killed in a day with one of these nets. Those who use these nets pretend to be fishing for brown Trout. No Sprats come into this river; there is occasionally a run of Herrings, but not in the Salmon season, nor do any sea fish go up so high as the place where the sweep nets are used. He fishes as a lessee from Mr. Gabbett's weir to Doonas. The fishery for the whole eleven nets before mentioned is held by lease from Mr. Arthur on the north, and from Mr. Eyre Powell on the south side. The lease is for twenty-one years from last year; it is the renewal of an old lease which existed before the late Act; the term of this lease was for seven years, and it was within two years of expiration when it was renewed. For the whole of the eleven nets Mr. Powell is paid six guineas a year and a Salmon each day for four months, and two Peal each day for the three months of the Peal season. Mr. Arthur is paid the same rent in money, but no fish. From the beginning to the end of the season each man earns at the very most 8s. per week. There are four men and two boats to each net. He heard Mr. Boyce's evidence as to the necessity for compulsory assessment, and he quite agrees with him that there is nothing to be expected from voluntary contribution. The parties to be assessed are, first, *and to the greatest amount*, the slob weir owners, who get the first of the fish; secondly, the proprietors of the fisheries, who enjoy the profits by their firesides; thirdly, the gentlemen who enjoy their sport by angling; and, lastly, the poor people who derive a livelihood from fishing—who are the least able to pay, and the most deeply interested. The persons last mentioned are, at present, unable to contribute, but he is sure they would pay for the protection as soon as there would be an increase in their produce. He would not think it unjust to impose a fine of £50 on any one who would kill a Slat or breeding fish.

Edmond Bryan, sworn.—Is a water-bailiff under the association of which Mr. Boyce is secretary, and is a fisherman these twenty-eight years. He has paid particular attention to the spawning. It commences the 8th December and continues to the 1st February. The spents go down to the sea the first week in February; the greatest quantity of them in April and May; those which come down in May are the fish that have spawned in December; they remain a long time in Lough Derg and Lough Ree after spawning. The

APPENDIX, No. II.

*The Upper Shannon.*Migration.
Destruction.

Fry.

Fishing time.

September fish.

Season.

Spents.

Mode of fishing.

Mesh.

Weir.

Eels' Close Time.

Sweep nets.

Rent.

Assessment.

Spawning.

Spents.

APPENDIX, No. II.
The Upper Shannon.

Season.

spents which are taken at an advanced period of the season, are not so bad as those which are taken early; they recover somewhat in the fresh water, but they are still unfit for food. The fish are worse after spawning than at any other stage of their existence. He has examined the fish taken in August; they are as good in that month as in July; the pea is not then largely developed. He would not indeed consider the fish very bad until November. A fish which is full of pea, and a short time before spawning, ought not to be killed; but such a fish is good for salting. The Open Season should be extended for angling to the 1st of October, but he would not think it advisable that it should commence before the 12th February, in consequence of the number of spents then in the river. On the 2nd and 3rd of February, some years ago, he killed forty spents in two days' angling. The rod is the most destructive engine to spents; they can be avoided by or saved when taken with the nets, but when caught with the rod they cannot be saved. There are more spents taken by the rod in February than in any other month.

Spawning.
Season.

Terence Kane, sworn.—Is a fisherman these thirty-two years; his father was one before him, and he has been constantly fishing since his boyhood. The Salmon are on the beds from the middle of November; they cast their spawn from the 20th December to the 1st February, at which time all spawning is over. The 12th February is the fairest time to commence the season, and he considers that it should be extended to the 1st October; however, the 1st September would satisfy him. He would get some good and a great many bad fish in September; there is a larger quantity of bad than good in September: he seldom gets a fresh run fish in that month. He has not, as far as the present Close Season has gone, yet seen any lights or poaching on the river, but the time has only now commenced at which lights are used.

Spawning.

John Enright, sworn.—Is a fisherman, lives at Castleconnell, and is employed as a water-bailiff by the protective association. The spawning beds of the Shannon are immediately about Castleconnell. At the Rock Garden, near Doonas, he has frequently seen the she fish roll in the gravel and the cock fish come immediately and cover up the hole; they then hovered about the spot for some time together. He can form no idea of the time which elapses between the depositing of the ova and the maturity of the Fry. He has not observed the fish actually spawn until near Christmas, and the spawning is generally over on the 1st February. The spents begin to run down the first few days of February; during these days persons fishing would sometimes take ten times the quantity of spents that they would at any other time. The greatest run of spents is in March, April, and May. Nets are not so destructive to them as rods. It would be safe to permit fishing till the 1st October. He has examined the fish caught in September, as he cures and salts Salmon for the neighbouring gentlemen; they are as good then as at any time before, although the pea is becoming large. If the river were fished up to the 1st October, a sufficient number would go up after that time to stock the whole Shannon. In the remote district which he watches the people would kill the breeding fish if they could, and they say it is quite right to kill what God sends them at any time. The whole of this locality is spawning ground. He has not as yet seen any lights used on the river.

Spents.

Season.

Mr. Boyce said that he had seen 150 fish in August, and not one would take a fly; according as they get redder they become more shy and cautious, and can only be taken with a small Trout fly.

No. 1.—LETTER FROM LORD DUNRAVEN TO J. REDMOND BARRY, Esq.

No. 1.—Letter from Lord Dunraven to J. Redmond Barry, Esq.

Lord Dunraven presents his compliments to Mr. Barry, and as he cannot go in to-day, he wishes to express his opinion against the Close Season commencing later than the 20th August, he would prefer the 12th in the Shannon and its tributaries; for, though a few fresh fish run up after that, the stock for breeding is already there, and if more Open Time is given for diminishing it, the fishermen will soon find greater evil than good.

Do what you will, the great power for protecting spawn and Fry must be in the hands of the proprietors of the upper parts of breeding rivers, and they have now so little interest in the matter, that it is sheer nonsense to expect them to take trouble, not for a fair proportion of future benefit to themselves, but for those below them to reap the far greater part.

If Mr. Barry gets true information of the real state of the case, he will know that this is so, and that nothing else will do, and that there must be a paid staff to work the Act. The coast-guard and the police are good so far, but not half sufficient; they have other duty enough on their hands.

The annual Close Time is now but very imperfectly observed—the *weekly*, a perfect farce.

Adare Manor, December 15, 1845.

No. 2.—RESOLUTIONS passed at a MEETING OF NOBLEMEN AND GENTLEMEN interested in the FISHERY of the RIVER SHANNON.

No. 2.—Resolutions passed at a Meeting of Noblemen and Gentlemen interested in the Fishery of the River Shannon.

At a meeting of the noblemen and gentlemen interested in the fishery of the river Shannon and its tributaries, convened by public advertisement, and held at the County Grand Jury Room, on the 7th day of October, 1845, for considering what plans should be adopted for the preservation of the Salmon and fisheries of those rivers.

The KNIGHT OF GLIN in the Chair.

Resolved,—That the protection of that extensive river and its tributaries is of the highest importance to the citizens of Limerick and the surrounding counties, as, by such means, an ample supply of cheap and excellent food may be secured to the public.

Resolved,—That the scarcity of Salmon which has existed in the Shannon and the rivers adjoining for some years past, is mainly attributable to the shameful destruction of the Salmon Fry, and the illegal modes of fishing now practised, which, if allowed to continue, the Salmon fishery will be entirely annihilated from those rivers.

Resolved,—That we find the laws only require to be put in force, to be rendered effective for the preservation of said fisheries.

Resolved,—That for this purpose, an Association be now formed, to be called "THE SHANNON FISHERY ASSOCIATION," and the management of its affairs shall be intrusted to a Committee, now to be chosen, who shall be empowered to take such steps for the preservation of the different fisheries of the Shannon and its tributaries as they think best.

Resolved,—That for carrying this purpose into effect, subscriptions be immediately set on foot, and paid to the secretary; and that our committee be requested to apply to all such persons who are not now present as may be likely to contribute thereto.

Resolved,—That the following noblemen and gentlemen be appointed a Committee, with power to add to their number, any three to form a quorum.

Clare,
Limerick,
Dunraven,
Ludlow Killaloe,
Hugh Dillon Massy, bart.,

Knight of Glin,
Simon G. Purdon, D.L.,
Eyre Lloyd,
John Crips,
Francis Spaight,

Poole Gabbett,
B. Hickie,
Standish Thomas O'Grady,
Hugh M. Ryves, and
Robert Webb, esquires.

Resolved,—That this association disclaim any intention of interfering directly or indirectly with the rights or property in any fishery, public or private, but merely to prevent the scandalous infringement of the laws, as before stated.

Resolved,—That Mr. John Boyse, junior, be requested to act as Secretary.

Resolved,—That watchmen and water-bailiffs be placed on the river Shannon, on the first day of November next.

Resolved,—That the proprietors and tenants to the several fisheries at Doonas, be requested to open their fisheries to the gentlemen resident in Limerick and its vicinity (for one day in each week), who subscribe One Pound each and upwards, for the purposes of this association.

Resolved,—That our secretary be directed to get the resolutions now agreed upon, printed and circulated through the post-offices and by placards.

Resolved,—That our secretary be directed to write to the several sub-inspectors of police, in the vicinity of the Shannon and its tributaries, to aid our watchmen in the preservation of the rivers.

Resolved,—That our secretary do call the next meeting for Saturday the 25th instant.

JOHN J. FITZGERALD, *Chairman.*

JOHN BOYSE, jun., *Secretary.*

APPOINTMENT OF WATER-BAILIFFS UNDER THE SHANNON FISHERY ASSOCIATION.

To _____,

You are hereby authorized and empowered to act as a Bailiff on the River Shannon, for the protection of the spawning fish, and the suppression of all illegal and improper fishing, and your duties are as follow:—

You are to be watchful and cautious on your respective posts or boats. If you perceive any one fishing with any rod, net, loop, gaff, lyster, light, lanthorn, stroke-all, cross-line, or snare, or other device, you are forthwith to find out his name and address, and report the same to the secretary, or, in his absence, to one of the committee; you are to take his directions as to what you are to do in consequence. If you should happen not to know the name of the person so offending, you are immediately to seize upon his boat, tools, and instruments for the destruction of the fish, and to seize upon the person or persons who shall be so fishing, and bring them before some neighbouring Justice of the peace, to be dealt with according to law.

Whenever you require instructions, you are to call upon the secretary, who will, at all times, be ready and willing to afford you the same.

You are, upon all occasions, when you require it, to call upon the watchmen and bailiffs appointed on the river by the Shannon Commissioners, who have directed them to help, aid, and assist you; and you are in like manner, at all times, to help, aid, and assist them, whenever they shall call upon you.

You are, at all times, to have those instructions about you, and to produce them when called upon, and to show them as your authority to all offenders, always recollecting that your conduct will be most narrowly watched, and the least misconduct committed by you, or violation of the oath you have taken, will be visited with immediate withdrawal of this deputation, and your consequent dismissal from employment.

Limerick, _____, 1840.

_____, *Secretary.*

EVIDENCE taken before J. REDMOND BARRY, Esq., at BALLYSHANNON, COUNTY DONEGAL, on FRIDAY, DECEMBER 19, 1845.

SUBJECT OF INQUIRY.—THE FISHERIES OF THE COAST, FROM MULLAGHMORE AND HUGH ISLAND IN THE COUNTY OF SLIGO, TO TEELIN HEAD, COUNTY OF DONEGAL, INCLUDING THE BAY OF DONEGAL, THE RIVERS ERNE, BUNDROWES, ROOGAGH, EASK, INVER, BUNLAGHY, CORKER, BUNGOSTEEN, BALLYDOO, AND GLEN RIVER, AND ALL THEIR TRIBUTARIES, AND THE FISHERIES OF ALL OTHER RIVERS TERMINATING ON THE LINE OF COAST BETWEEN THE ABOVE STATED LIMITS.

THE BUNDROWES.

Mr. Patrick Cassidy, sworn.—Is the present lessee of the Bundrowes fishery, which has been held by his family perhaps eighty years. He has been employed about this river

APPENDIX, No. II.

The Upper Shannon.

No. 2.—Resolutions passed at a Meeting of Noblemen and Gentlemen interested in the Fishery of the River Shannon.

No. 3.—Appointment of Water-bailiffs under the Shannon Fishery Association.

The Bundrowes.

APPENDIX, No. II.

The Bundrowes.

Tributaries.

Mode of fishing.

Spawning.

Migration.

Improvement.

Mode of fishing.

Produce.

a long time, and is perfectly acquainted with all its circumstances. Colonel White and Colonel Dixon are the proprietors of the river, and he holds by lease under them. The Bundrowes is a good spawning river; it takes its rise in Lough Melvin; and its spawning tributaries are the Glen and the Ballaghmeehan. Witness attends to the lower part of it. There are water-bailiffs kept upon it, and it has always been pretty well protected. This river is fished both by a weir and nets. A change has been made in the weir since the late Act; the bars have been made perpendicular, and every thing that the law requires has been complied with. The weekly Close Time has been observed at the weir as far as it was possible, but sometimes the floods were so high that the gates could not be opened. Spawning commences in this river about the middle of November; the greatest quantity of spawning takes place in December; it continues till February in the upper waters, but it is now nearly over in the lower parts. A change is first observed in the appearance and condition of the fish at the latter end of August. The Salmon which are taken coming in fresh from the sea are good at that time; but the pea of the fish is getting large in August, and those fish that have been in the fresh water any little time are becoming discoloured. Some of the spents, or "Keeves," as they are called here, are going down to the sea even now, the number which go down in January and February is small; the greatest quantity return to the salt water in March and April; the Salmon which spawn in the higher rivers do not come down till April or May. The descent of the Fry commences at the latter end of March; the greatest quantity go down in April, and they are all out of the river at the latter end of May. The fishery on the whole has been latterly improving; the gross quantity taken now is greater than it used to be formerly. He fishes with draught nets near the mouth of the river, and in a place where others are prevented in consequence of there being a "several fishery" claimed by his lessors. They themselves have fixed a mouth, and do not allow others to fish within half a mile of it, and that restriction has increased the quantity of fish taken generally; the increase, however, has been greater in the net than in the weir fishery. He fishes with the nets and weir at the same time. They carry on the net fishery from the weir to a quarter of a mile outside. There had been a great many Eel weirs on the river between the lake and the mouth, but they have been all removed; and there is no natural impediment impassible to the fish, between the lake and the sea. The following is an accurate return of the quantity of fish taken in his fishery during the last three years:—

1843.		1844.	1845.
Months.	Weight of Salmon.	Weight of Salmon.	Weight of Salmon.
	<i>lbs.</i>	<i>lbs.</i>	<i>lbs.</i>
February, .	106	96	104
March, .	440	244	186
April, .	672	611	600
May, .	708	1,293	406
June, .	8,633	11,857	8,284
July, .	9,130	9,303	11,328
August, .	1,117	463	1,038
	20,806	23,867	21,946

Season.

Witness has made no formal application for a change of season; he has, however, maturely considered the subject; and is convinced that the best Open Season for the Bundrowes would be from the 1st January to the 20th August. A great many bad fish would not be taken in January and February; he has been in the habit of taking from one hundred weight to two hundred weight of fish in January; the entire of this was prime fish coming up from the sea. He would catch some but a very small portion of "Keeves" and fish going up to spawn. Considering the small portion of fish taken in January, it would not be advantageous to throw open *all the river and its tributaries* to every mode of fishing. He considers that the same season should not extend to the different modes of fishing; but, if such were necessary, the 1st February would, in his opinion, be the proper time to commence fishing. Witness gave evidence before the Fishery Commission in 1836; he did not then say that fishing should commence on the 12th May and end the 12th August. Is aware that the persons interested in the river Erne are satisfied with the present season, and that a very great inconvenience would arise from having a different Close Time in rivers situate so near each other; but he would sustain a great loss by not being allowed to fish the first twelve days of February. The quantity of fish usually taken by him between the 1st and 12th February was between one hundred and two hundred weight; the total loss he would sustain by not being allowed to fish on the 1st January, would be from three hundred to four hundred weight of fish. Not many of the spent fish would take a fly so early as January. From Carricknarone on the west, to Lackoodee on the east side, are the points from which lines should be drawn to form the mouth of the Bundrowes river; this he has been in the habit of considering the mouth; and all others, except himself, have been restrained from fishing within half a mile below these points. He considers it desirable that the draught as well as bag nets of others should be restrained from fishing within a mile of the mouth just alluded to; because by fishing so near as half a mile, they catch

Mouth of river.

very little and frighten off the fish, for they never cast their nets unless when pretty sure of taking some. Only extraordinary high tides come above his weir; Spring tides do not come within sixty yards of it, and except in times of storm, that part of the river is not affected by saltwater.

Edward M'Nulty, sworn.—Witness has been a water-bailiff on the Bundrowes during the last twenty-six years; he particularly attends to the Ballaghmeehan river, which is in the county Leitrim, and about a mile distant from Lough Melvin. He has frequently observed the Salmon on the scours; spawning commences about the middle of November; the greatest quantity takes place about the close of December; and the last time he has seen the scours is about the 1st February. The spent fish go into the lake after spawning, and in his opinion they leave it in February; but he has never seen them going down from the lake. A considerable injury is done to the fishery by the cross lines which are used in Lough Melvin. This mode of fishing is pursued in June, July, and August; and it is principally the breeding fish that are going up to spawn which are taken with cross lines. Boats are used by the cross line fishers; and it is at the mouth of two spawning rivers which run into the lake that this mode of fishing is carried on. Lough Melvin is about three and a half miles in breadth; but it is not two miles broad where the cross lines are used. This is a very destructive mode of fishing; it has the effect of making the fish very scarce; and if not prevented, will in consequence of its killing and wounding the breeding fish, greatly injure the fishery. The Ballaghmeehan is a very good spawning river, it has a gravelly bottom; it is about two miles in length, and there is no fall upon it to obstruct the progress of the fish. It is very difficult to preserve it; there is a great attack made to fish it; and there are sometimes eight, sometimes nine water-bailiffs kept on this river. This illegal fishing is mostly carried on at night, and with a species of "coghill" or "hoop net." There are no Eel weirs upon the river. The water-bailiffs are employed by Mr. Cassidy; witness is constantly engaged during the Close Season; he gets £3 a-year for his services, but the pay is quite insufficient. He has had several prosecutions for fishing in the Close Time, and he found the magistrates well disposed to inflict adequate punishment; fines of from 10s. to 40s. were imposed. He has not as yet got any assistance from the police. If permission were given to fish before the 12th February, he admits a great many spent fish would be killed. If every body were allowed to fish with rod and line and nets from the 1st February, Mr. Cassidy is the person who would be most injured.

John Cathcart Lees, esq., sworn.—Is chief water-bailiff to Colonel White on the Bundrowes fishery; Colonel White takes a great interest in the protection of this river; and an association composed of eighteen gentlemen has been formed, and funds raised amply sufficient to secure the preservation of the river and its tributaries. In this association there are eight magistrates, and six deputy lieutenants; the annual subscription paid by each is £1; but whatever farther sum may be required is always supplied. There are eighteen persons employed in protecting during the year; and attention is particularly directed to the preservation of the spawning fish. During the last seven years he has attended to the spawning. The river is now full of fish upon the scours; in fact he never saw so many before this year. Spawning commences at the latter end of November; he saw between four and five dozen of breeding fish on the scours last Saturday. The latest time he has seen fish on the scours was the middle of January. The spawning grounds of the Bundrowes are better than those of the tributaries. The spents descend to the sea from the middle of March to the middle of April. In February the spents are so weak that they are swept into the mill-stream, and in that month the aid of the water-keepers is necessary to lift them out of the shoals and put them into the deep water. The mill weir on the Bundrowes is no impediment to the passage of the fish. The Fry begin to go down to the sea in April; and the first floods after that time sweep all down to the sea. He thinks that the 1st February would not be too early to allow Mr. Cassidy to commence fishing; Mr. Cassidy would make the third of his rent if he got such permission; but it would be more prudent to keep the Close Season as it is in reference to the general interests. He is particularly desirous that the Commissioners would prohibit cross line fishing on Lough Melvin. It is a cruel practice, by which many fish are wounded that are not taken; and it is not pursued by any but pretended gentlemen, and by poachers who sell the fish. The reason why the cross line is used in the lake is because the word "lake" is omitted in the seventieth Section. This defect could be remedied by the Commissioners issuing a bye-law prohibiting cross line fishing in Lough Melvin. Where the cross line fishery is pursued, is about the confluence of two spawning rivers with the lake. A species of fish called "Pollen" or fresh water Herring frequent Lough Melvin; they are a great source of food to the poor; but in consequence of the Close Season at present fixed, they are almost entirely lost. They do not begin to run till the latter end of October; and he considers the Pollen fishery so important, that a bye-law should be made to enable persons to take this fish from the 1st November or middle of October, to the 1st January. Such a permission could have no injurious effect upon the Salmon fishery; for it is impossible that a Salmon could be taken in a Pollen net. The mesh of this net is one inch from knot to knot, and made of very thin thread, so that a Salmon could not get into it, or if he did, he would tear it to pieces. The species of Trout called Buddagh also frequent Lough Melvin; they do not run till very late; and he would, therefore, extend the Trout season, for angling only, to the 1st November. There is no prevention to any one either rich or poor to fish in the lake, although it is protected at great expense. The anglers are the best protectors of a fishery; and he never did, nor never will, prevent a person from angling in the Bundrowes.

APPENDIX, No. II.

The Bundrowes.

Spawning.

Cross line fishing injurious.

Lough Melvin.

The Ballaghmeehan.

Operation of the Act.

Protection.

Spawning.

Migration.

Season.

Cross line fishing.
Lough Melvin.

Pollen.

Season.

Trout.

Absence of restriction.

APPENDIX, No. II.

The Bundrowes.Jenkin, young
Salmon.

Spawning.

Season.

Trout.
Season.

Assessment.

Cross line fishing.

Amendment of the
Act.

Robert St. George Johnstone, esq., sworn.—Witness is particularly fond of fishing; and has attended to the natural history of the Salmon. He has read the works of Shaw and Scrope upon the subject; and his own observations, coupled with their reasoning, have led him to the opinion that the Jenkin is identical with the Parr or young Salmon. When his attention was first drawn to the subject by a book of Poulett Scrope's which he read, he took some Salmon Fry, and having rubbed off the scales, he found distinctly appearing underneath, the bars which are the distinguishing mark of the Jenkin. He never caught a Jenkin where Salmon did not frequent, and always where they did. In the early part of the year they catch very small Jenkin, and at the latter part they are found of a very good size; he has never caught Jenkin with pea, but he has taken them with well developed milt. They have succeeded in preventing the destruction of the Jenkin. The bulk of the fish spawn at this time of the year, and in case of floods he has heard of the breeding fish being up in the higher parts of the river in September. He agrees with Mr. Lees that spawning commences in November. Witness has hooked fish in the middle of April, which, in his opinion, had not spawned; but this happened but very seldom. Taking it for granted that there must be the same Close Season for Lough Melvin and the Bundrowes, he considers it desirable to keep the Close Season as it is. He appreciates the facility of convicting for breaches of the law which is produced by a uniformity of season. The Trout are as good at the end of November as at any previous time, and as there is a separate season for Salmon and Trout, he considers that the Trout Season should be extended *for angling only*. Since the protective association was formed there is a much more improved system of protection carried on than previously existed; and the difficulty attending the preservation of the fish alluded to by the water-bailiff McNulty, is not now so great. He considers that *all fixed engines* should be taxed for the protection of the fisheries; he would confine the taxation to those who fish in the sea, because at present they never contribute towards protecting. There is a net fishery outside the Bundrowes, and Mr. Cassidy fishes inside with nets by virtue of the "several fishery" claimed by the lessors. The nets used outside are, he believes, of the legal mesh, and those who use them, fish professedly for Salmon. He is not aware that any persons fish for Salmon under pretence of taking White fish. The practice of cross-line fishing is most injurious to the fishing of the lake. It is pursued at a place where the lake is only about two miles in breadth, and at the junction of two spawning rivers, the Glen and the Ballaghmeehan, with the lake. In his opinion the proprietors who wish to prevent cross line fishing within the limits of their property should have a summary method of doing so. Witness considers that in the 114th Sect. of the 5th and 6th Vic., c. 106, the words "*usque ad medium filum aquæ*" should be added after the words "within the bounds and limits of the said lands;" "*usque ad medium filum aquæ*" means that place where, *supposing* two proprietors to have land on either side of a stream or lake, a line from their respective properties would meet; and with regard to the penalty in the same Section, the owner of the "several fishery" should have the power to proceed by summary method before the magistrates at Petty Sessions. At the end of the Section he would add the words: "and in case any person shall trespass thereon without the consent in writing of the proprietor, he shall forfeit a sum not exceeding £2, to be recovered and levied as former penalties under this Act."

THE EASK.

The Eask.

Mr. Adair, the representative of Lord Arran, stated that the fishery of this river had diminished one-third since the bag net fishery commenced outside. These nets are placed in the legal position, and he believes they are so placed with the permission of the owners of the land. The bag net fishery usually stopped about the middle of September.

THE INVER.

The Inver.

Several fishery.

Spawning.

Fishing time.

Fry.

James Beirne, sworn.—Is acquainted with this river from its source to the sea; it is between seven and eight miles in length, and branches into two arms. This river is claimed as a "several fishery" by the Rev. Alexander Montgomery: there are no smaller rivers upon it: it was formerly very good for spawning, but the bag nets have latterly prevented the run of the spawning fish till late in the season. There are a great many bag nets legally placed, and used by authorized persons outside this river. He has heard of breaches of the weekly Close Time in some of these nets, but he has not known this of his own knowledge. He has been looking after this river since he was of an age to do so. Spawning commences very late in November; the great bulk takes place at the close of December, but he cannot exactly say at what period it ceases. He has seen spawning up to the 1st February, but not in any quantity. Before the late Act they always commenced fishing in April: there is no early fishing in the Inver: last year they began in May. They used to continue fishing, formerly, up to the 1st October, but this depended upon the weather: he never fished beyond that time. There are no fish in this river except in time of floods. He fishes both in the higher and lower parts; has examined the fish taken in September; they are then very good, but a few of them are not so well coloured as the rest. There is no weir on the Inver, nor any impediment to the upward progress of the fish. He took no fish last year until June, and only nine in that month. The Fry go down to the sea in March, April, and the early part of May; they are all pretty well down at that time. The bulk of the fish are in a very good state up to the end of September.

The following is a rough return of the quantity of fish taken in the Inver during the last two years :—

APPENDIX, No. II.

1844.			1845.			Produce.
Salmon.	Trout.	Amount.	Salmon.	Trout.	Amount.	
753 lbs.	2,185 lbs.	£39 18s. 5d.	1,242 lbs.	1,106 lbs.	£27 10s. 7d.	

Expenses from November, 1843, to November, 1844, £37 15s.

Hugh Scott, esq., sworn.—Has been lessee of the Inver these two years past. The return handed in by James Beirne is correct, and contains all the fish taken, with the exception of some which were given in presents. This river formerly yielded £100 a year, but the value of the produce has now dwindled down to between £30 and £40. This decrease is attributable to the bag net fishing outside. The coast guard in this locality have taken no trouble to prevent breaches of the weekly Close Time by the bag nets. If the Close Season were observed in them, it would allow a considerable time for fish to pass up the river; because, when the bag nets are taken in there would be often, perhaps, three or four days before they could be put down again. The Inver fishery does not, at present, pay the expenses. He wishes that the Open Season should be extended to 12th September, and considers that it would not be advantageous to fish beyond that time.

THE ERNE OR BALLYSHANNON FISHERY.

Mr. Thomas Lipsett, sworn.—Witness has the management of the Ballyshannon fishery under the Misses Sheil, who hold under Colonel Connolly, at a yearly rent of £1,200. He has had the management of the protection these twenty years, and the general management of the fishery during the last ten or twelve years. He has attended to the question of Season. In this fishery the Open or Fishing Time should not be extended beyond the period at present fixed, and it should not commence till the 20th March or the 1st of April. They have not been able to get good fish in the Erne before the 20th March, and from the 12th of August the fish begin to get discoloured. It would, he is convinced, be injurious to the fishery to fish after the 20th August; in truth, the 12th August would be a better stopping time, but rather than embarrass the Commissioners in their decision, he would fix the 20th as the very latest time. Between the 12th February and the 1st March they scarcely get any season fish, but, on the contrary, a great number of spents, which are of no possible use. The spents when taken in nets can be let go without any possible injury; this is quite practicable, at all events, in such water as they fish in. The principal spawning tributaries on the north side of Lough Erne, from which the river Erne flows, are the Garvery, the Letter, the Belault, the Pettigoe, the Banragh, the Kosh, the Ballycassidy, and the Maguire's Bridge; and on the south side the Ballyconnell, Stragowna, the Arney Bridge, and the Sillus. There is a river flowing from Lough Gowna, in Longford, and another coming from Bailieborough, which meet near Belturbet, and flow into the head of the lake. The river Sillus is not preserved, but all the others are. The whole expense of protection is thrown upon the lessees of the fishery; they get co-operation from some gentleman by the exercise of their influence in preventing the destruction of the fish, but there is no organised system of co-operation, nor do the parties who fish in the sea give any assistance whatever towards protecting. The upper gentlemen complain that they have no interest in protection; and, in fact, as far as his experience enables him to judge, the fish are unfit to be taken when they reach the higher waters. The female fish always go off after depositing the spawn, but the male linger a longer time in the river. The Close Season which he proposed applies only to the Ballyshannon fishery, but he is aware that Mr. Cassidy would be benefited by being allowed to fish early. Witness is of opinion that, in a great measure, the fish resort their own particular river; they very rarely catch the Bundrowes Salmon in the Erne. He has frequently seen the fish on the spawning beds. He does not think that spawning begins till the 20th November; the greatest quantity is at Christmas, and the last which he observed was about the 12th January. The Fry go down to the sea about the middle of April, and from that time to the end of May; the great bulk go down in the latter month, and some few are in the river in June. The Fry are carried away with more rapidity from the upper than from the lower part of the river. There are two or three bag nets at Mullaghmore, three or four from the north side of Ballyshannon Bar to White Strand, three at Kildoney, two at the Corker, two or three at the lower part of Colonel Conolly's property, and a great many round St. John's Point. There are from eighty to a hundred tons of Salmon taken yearly in the bag nets between Teelin Head, county Donegal, and Mullaghmore, county Sligo. The quantity taken by the bag nets this year did not exceed, if it equalled, the produce of the year before. In 1845, the restriction in reference to the necessity of fixing the bag nets one mile distant from the river, had an effect injurious to the take in the bag net fishery. The bag nets have been set at the legal distance from the river by the owners themselves, without any threats or prosecutions; but draught nets were used within the prohibited limits, and the parties offending were prosecuted and convicted. The bar of Ballyshannon, between the north and south rock, is, and has always been, recognised as the mouth of the river Erne. One of these rocks is on Kildoney, the other on the Finar shore. The "Patch" is within the mouth; the tide rises there about ten feet; the Patch has been deepened by the works carried on by Colonel Conolly. At high water there are now twelve or thirteen feet of water upon it since the improvement, and a much larger class of vessels can come over the bar now than before. They have had an uniform average fishing in the Erne for the last ten years; the fishery has not been diminishing, nor has the take been affected by the

APPENDIX, No. II.

The Erne and Ballyshannon Fishery.

Eel fishery.

bag nets so much as they apprehended. They have had no reason to complain of want of assistance on the part of the public authorities in enforcing the law. The police regularly visit the Ballyshannon weir to see that the law is observed there, and he has invited them to do so. The waterfall at Ballyshannon, which is of very great extent, is the "Queen's share" of the weir. *Indiscriminate* angling is prohibited upon three miles of the river, but no one is prevented from fishing except such persons as pretend to have a right to do so in opposition to the rights of the lessees.

William Friburn, sworn.—Lives at Ballyhadoy, near Lough Erne and Belleek; and is in the habit of fishing for Eels. The present Close Season for the Eel fishery—although it has been observed by him—is not at all suited. He could catch good Eels, but in small quantities, in June, and sometimes after. The season should, therefore, be extended through June. He has not seen a single Salmon Fry taken in the Eel nets during these seven years.

Terence Connigle, sworn.—Witness fishes an Eel weir at the Ballyshannon side of Belleek, and has been fishing there these twelve years. He has observed the present Close Season. He has frequently caught Salmon Fry in the Eel weir in June; and if that month were made a part of the Open Season for the Eel fishery it would make great encroachments on the Fry, and would be therefore dangerous.

The Rev. George N. Tredennick, sworn.—Witness wished to bear testimony to the salutary operation of the Fishery Act, and to the assistance received from the constabulary in the preservation of peace and good order. He also begged to call the attention of the Commissioners to the great want of landing places on that part of the coast; and stated that there was a small bay, called Bonnatruhan, where a good pier could be made with very little expense.

The MEMORIAL of ALICIA SHEIL to the COMMISSIONERS.

To the Honourable the Board of Commissioners of Fisheries, Ireland.

Memorial of Alicia Sheil to the Commissioners.

The Memorial of Alicia Sheil, Ballyshannon, County Donegal, Lessee of the Erne Fishery, Humbly sheweth,—Having heard your Honours intend to establish an extension of the Open Season to the month of September for Salmon fishing, she deems it her duty respectfully to implore that a regulation so injurious to her interest, and that of her family, may not be adopted too hastily. Leaving aside the private interest of a family totally dependent on the uncertainties of winds and tides—guiding a hope of success, or, *the reverse*—it does not appear to your Memorialist that any possible good can arise to the public by the lengthening of the Open Season of the Erne Salmon fishery. The contractor, who has purchased the Salmon at Ballyshannon for several years, refuses to take them after the 12th of August in each year, notwithstanding the facilities for bringing them to market, on the best and quickest plans; he refuses them, because they are changing then in colour and appearance, unmarketable for the most part; also, because the fish in that state ought to be *preserved* for a future stock, rather than *destroyed*. And again, that the quantity are so few in number comparatively, it would not be worth the expense of keeping up establishments for their transmission. The fish in September are therefore still less fit for human food, and there is an evident destruction to future hopes of an increased stock of good and wholesome food, by not having the fish to inhabit their native rivers at such a late season. The late Doctor Sheil, the father of memorialist, had, unfortunately, to contend against many debts and difficulties, and he was often obliged, by their pressure, to fish the river later than the law allowed, even to the middle of September, after which, the protection given to the lake and rivers tributary to it was most rigid, and neither interest or attention spared to secure the fish against all invasion; nevertheless, year after year, the fishery declined, and not suspecting the real cause of the falling off, every thing but the true source of the evil was blamed. Your Memorialist, at the suggestion of friends, administered to his will—taking on her humble capacities, troubles, debts, and sorrows, from which strong men shrink, and managed the fishery of the Erne for the last ten years, always ceasing to fish at the 12th of August, in which a great advantage has appeared, by an increase in the quantity. Latterly, in obedience to the laws, the fishing ceased at the 20th, but the fish are far from being fit to use afterwards, and it is unwise, as *regards the River Erne*, to extend the Open Season even one day beyond what the present state of the laws allow, and by which Memorialist is perfectly satisfied to abide, relying on the kind consideration of your Honorable Board to this respectful and most truthful statement, which can be corroborated, on oath, by the clerk of the fishery, Mr. Wm. Stephens, who has kept the accounts for the last thirty years, in the most upright and honourable manner.

(Signed,)

ALICIA SHEIL.

EVIDENCE taken before J. REDMOND BARRY, Esq., at GLENTIES, COUNTY DONEGAL, on SATURDAY, DECEMBER 20, 1845.

SUBJECT OF INQUIRY.—THE SALMON AND WHITE FISHERIES OF THE COAST, FROM TEELIN HEAD TO THE SOUTH SIDE OF THE ISLAND OF ARAN, ON THE COAST OF DONEGAL, INCLUDING THE BAYS OF MALIN, GLEN, LOUGHROSBEAG, LOUGHROSMORE, GWEEBARRA, THRAW-REENAGH, AND MAGHERY; THE FISHERIES OF THE RIVERS OWENEA, OWENTOCKER, AND GWEEBARRA, AND THEIR SEVERAL TRIBUTARIES, AND ALL OTHER RIVERS TERMINATING ON THE COAST BETWEEN THE ABOVE STATED LIMITS.

THE OWENEA AND OWENTOCKER.

The Owenea and Owentocker.

William M'Affee, sworn.—Lives at Ardara, and conducts the Owenea and Owentocker fishery for Colonel Nesbitt. Is well acquainted with the Owenea; it rises in Lough Ea, and passing through Glenties, flows into Loughros More bay. The river has two branches to

Glenties, and flows in one channel thence to the sea. The tide flows up as far as Ardara. The Marquess of Conyngham is proprietor of one part of this river, Mr. Murray of another, and Colonel Nesbitt of the third; but the Colonel has taken the entire fishery from the sea to the source. Witness is well acquainted with the spawning of the fish, and has frequently observed the breeders on the spawning beds. Spawning commences in the early part of November, the great bulk takes place about the close of December, and the latest time of spawning is about the middle of January, or scarcely so long. The Owenea is not well protected; it is twelve miles in length; there are but ten water-bailiffs kept on it, and that number is quite insufficient for such a length of river. They have not, as yet, called upon the police for assistance; but he is aware that the late Act has given the aid of the police towards protection; and he considers such aid will have a beneficial effect. There are a great many good spawning grounds in the Owenea, and a considerable number of deep holes in which the fish can lie in security. He has heard that a great many spawning fish have been taken off the beds this year. The Fry go down to the sea in April and May; they are all out of the river in May; but frequently for want of a fresh they are detained till late in that month. He commenced fishing last year on the 12th February, but before the late Act he always began the 1st March, and continued till the 1st or 12th September. He considers the 20th August too early to close the season, and that it would be most desirable to have an extension of the Open Time to the 1st September. Considering the future stocking of the river, it would not be safe to fish after that time. He would rather have the early fishing time curtailed to the 1st March, than be obliged to stop on the 20th August. Witness has been manager of the fishery these twenty years, but has kept no account of the quantity of fish taken; the last was a pretty good season. There are two bag nets fished off Loughros More, two opposite Inishkeel, one at Inishkeel, and one at the point of Loughros, outside the chapel. There are no bag nets in Loughros Beg, nor any between that and Teelin. There are fourteen or fifteen between Carrigan head and Killybegs, including those in Teelin bay, and ten or eleven from Killybegs to the port in Inver bay. He cannot tell the quantity taken in each bag net, nor give any idea of the gross produce. He has examined the fish taken at the end of the Open Season, and they looked fair, but pretty well in pea about the 20th August. The evidence given in reference to the Owenea, applies also to the Owentocker, except that the whole of the Owentocker belongs to Mr. Nesbitt alone. The latter river flows from Lough Nillan or Eagle Lough, runs through Ardara, and empties itself into Loughros More bay. There is a weir on the Owenea, between the bridge and the sea, about three-quarters of a mile from Ardara; there are boxes also on the lower part of the Owentocker. The Owenea is a more productive fishery than the Owentocker. He fishes with draught nets at the mouth of these rivers, and catches a considerable quantity of sea Trout, but the Salmon is more abundant than the Trout fishery. The bag net fishermen do not contribute to the protection of the rivers outside which they fish; but on the contrary, they take the fish of those rivers, and make no return. He has often caught fish with the marks of the bag net mesh upon them. Witness had not recd that the size of the mesh has been diminished, and considers that mesh of seven inches, now fixed, is still too large. Last year was a better fishing season than the year before. The people in this locality are much disposed to poach, and hence it is that the ten water-bailiffs are insufficient to protect the Owenea. There is no hindrance to angling on these rivers, but the anglers take no trouble to protect. The Catholic Clergyman is the only one who assists in protection: and he cautions the people, and impresses upon them the evil of killing breeding fish. He had two prosecutions lately for poaching: one person was fined at the petty sessions 12s., or fourteen days' imprisonment, for killing breeding fish in the Close Time, and the other was fined but 5s. He cannot recollect the month in which the offences were committed; but he thinks it was in October. There is a mill weir on the Owentocker, which is an obstruction, but to the spents alone, which fall into the water-course. There is a grating at the mill-race, but the rails are too far apart to prevent the passage of the spents. He spoke to the miller respecting this, but no alteration was made in consequence. The spents descend to the sea from the end of December. It is quite usual to see persons on the banks of the rivers with spears and gaffs; and as there is no law to prohibit their so doing, they remain there until the water-bailiffs go away, and then they use these implements. Gaffs are used at night in these rivers. When the water is low in the day time, the poachers go along the banks, and having observed the spawning roods, they mark the place in such a way that when they come at night, they can easily find out the spot, and destroy the breeding fish.

James N. Evans, esq., sworn.—Fully concurs with the evidence given by the preceding witness. He complains of the great injury which is done to the Salmon Fry by night lines, which are set in these rivers by boys. There are no Oyster beds on this part of the coast, nor have any attempts been made at the formation of artificial beds. He considers the place unfavourable for such formations, in consequence of there being shifting sands there. He is well acquainted with the coast round to Inishkeel. It is very badly circumstanced as to piers. There was a pier at Portnoo, opposite Inishkeel, but it is now nearly destroyed; its re-erection would be a matter of great importance. Except this, there is no other accommodation or pier nearer than Killybegs. The entire coast is remarkable for an abundant sea fishery; but for want of shelter its entire wealth is lost. Herrings have come into Teelin bay; they came in but one or two nights this year, and on that occasion one boat caught from 1,000 to 2,000 in a night. He has heard of complaints of injuries arising from trawling. He was at St. John's point some time since, and he saw a trawler there; and some fishermen told him that that boat would run a chance of being

APPENDIX, No. II.

The Owenea and Owentocker.

Spawning.

Fry.

Fishing time.
Season.

Bag nets.

The Owentocker.

Mesh.

Angling.

Prosecutions.

Obstruction.

Spents.

Gaffs.

Oysters.

Want of piers.

Herrings.

Trawling.

APPENDIX, No. II.

*The Owenca and
Owentocker.*

Best harbour.

Piers.

The Bungosteen.

The Corker.

Poaching.

Season.

Absence of restric-
tion.

Produce.

Cost of bag net.

cut away in the night, in consequence of the injury which was done by trawling to the hand-line fishery. The trawl boats in this locality are about fourteen or fifteen tons burden. He has not heard of the trawl boats supplying the markets, either at Donegal or Killybegs. The best fishing ground for White fish is from Carrigan Head to St. John's Point, including M'Swyne's Bay. Inishduff Island between Carrigan Head and St. John's Point, is not inhabited; it is very small, and without any verdure. The place most suited for keeping boats for the deep-sea fishery is Killybegs, it being the best harbour, easy of access, and possessing superior accommodation. There is a very good Sprat fishery in Inver Bay; it was remarkably good last summer; it is a valuable fishery, and gives very great assistance to the poor. The supply of Herrings and Sprats never exceeds the demand when salt is to be had. Latterly they have had an abundance of salt; it is now 30s. per ton, but the price fluctuates much, according to the supply of fish; the chief stock of salt is in Dunkaneely and Killybegs. The country in this district is quiet and peaceable; and if strangers came here, and formed a fishing establishment, they would meet with no interruption. A pier at Portnacross, in Fintra Bay, one mile from Killybegs, would be very serviceable to the fisheries of the locality. The west and north-west winds are the most dangerous and destructive on this part of the coast. Boats of six tons burden come up to within a quarter of a mile of Ardara. The largest vessel he has seen half way up Loughros More Bay, was of twenty-five tons; but a vessel of 100 tons could come up as far. The fishermen of this locality are pretty well provided with boats, but these are of small size. Most of the fishermen have farms, and they do not fish until the crops are in and out of the ground; in fact they cannot go to the fishing ground except in summer and winter. Those who have no land get employment as labourers during the time they are not fishing. Temperate habits are on the increase among the fishermen; the clergy are very successful in making them take the pledge, and they keep it with strict fidelity. Portnoo, on Lord Conyngham's property, is an excellent place for the erection of a pier. The river Bungosteen, which flows into Killybegs Bay, is a very unimportant river; there are very few Salmon taken in it. The Corker or Oily, which rises in a lake half way between Inver and Ardara, and flows into M'Swyne's Bay, at Bruckless, is an important river, and would be very valuable, if preserved. It belongs to Mr. Nesbitt, who claims the whole right of fishing upon it, and is fished with a weir. There is no trouble taken to protect this river; there are two water-bailiffs upon it, but they do not do their duty. It is five miles in length, from the lake to the sea, and has a great many excellent spawning beds. The poachers frequently divide themselves into two parties, one of which throws stones at the water-bailiffs, while the other kills the spawning fish. Salmon do not go into the Bunlaghy river. The same season from the 1st March to the 1st September, would suit all these rivers. The fish are very good up to September. There should be greater restriction to angling in March, April, and part of May, because he has known a great quantity of Spents and Fry to be killed by rods at that time. None of these rivers are let to anglers, but all gentlemen are allowed to angle when they please. There is no poisoning of rivers in this locality. The bag nets have been increasing in number. He fished two bag nets last season; they were tolerably productive, the gross produce being £53 12s. About £20 is a fair average gross produce of each net in the year. Some bag nets are made in this quarter, but those purchased in Scotland are the cheapest. The cost of a bag net, including all things necessary, is about £15. Tar is generally used for the preservation of the bag nets. The weekly Close Time has been generally observed in the bag nets; they are always put out of fishing order during that time.

EVIDENCE taken before J. REDMOND BARRY, Esq., at GWEEDORE, COUNTY DONEGAL, on
MONDAY, DECEMBER 22, 1845.

SUBJECT OF INQUIRY.—THE SALMON AND WHITE FISHERIES OF THE WHOLE COAST FROM RANNAGH POINT, ON THE SOUTH SHORE OF THE ISLAND OF ARAN, TO FANAD POINT, ON THE NORTH-WEST SHORE OF LOUGH SWILLY, BOTH IN THE COUNTY DONEGAL, INCLUDING THE ISLANDS OF ARAN, RUTLAND, AND TORY, AND ALL THE SMALLER ISLANDS BETWEEN MAGHERY BAY AND FANAD POINT; THE BAYS OF ARDS AND SHEEPHAVEN; THE RIVERS GWEEDORE, CLADY, OWENCARROW, AND LACAGH, AND ALL THEIR TRIBUTARIES, AND ALL OTHER RIVERS TERMINATING ON THE COAST BETWEEN THE LIMITS ABOVE STATED.

THE LACAGH.

The Lacagh.

Rent.

Mode of fishing.

Mr. John M'Bride, sworn.—Witness and George Weir hold the right of fishing on the whole of this river, under George Vaughan Hart, esq. They have held it since 1836, and pay jointly £90 a year rent. The tenure is from year to year. There were formerly stake weirs on the Lacagh, but that is not the case at present; the river is now fished with a box and draught nets. There are two cruives in the box; it is of very ancient construction; a change has been made in it in accordance with the late Act; the bars are perpendicular, and at proper distances. No other person except Mr. Hart is interested in the fishery of this river. Witness's father held this fishery before him, and Mr. Hart always claimed the whole right to the river. It is from the source to the sea about thirteen miles and a half in length; it rises at the head of Glenveagh; from the mouth at Blackrock to Lacagh Bridge it is five miles; thence to Owencarry Old Bridge about three miles; thence

The Lacagh.

to the lake about a mile and a half; and Lough Veagh is about four miles in length. The boxes are placed about five miles from the mouth of the river, and fifty perches from Lacagh Bridge. This river is pretty well protected; there are nine or ten water-bailiffs kept upon it: some are very well disposed to poach upon it in the Close Season. The streams tributary to the Lacagh, best suited for spawning, are, the Lassansuragh, the Owenacaillagh, the Cutwater, the Colliough, the Glen, and the Cluen. There are no mill weirs or natural impediments on these rivers. Witness has observed the operation of spawning; it commences the latter end of October, and the greatest quantity takes place about the last week of November and the first of December, except in frosty weather, when it may be later. He never knew or heard of any spawning after the 6th January. The descent of the spents begins in January; the greatest quantity go down in May, and they are all pretty well away in that month. When there has been great drought at the latter end of April he has been sometimes obliged to have the spents carried over the shallows. Some Fry go down in March; a still greater number in April, and the greatest quantity in May. Before the late Act they generally fished from the 1st January to the end of August; they have also sometimes taken fish in December. Some years they have caught twenty-eight good fish in January. The boxes have been fished only on the flood: there was always a space for the spents to pass down, so that none were caught in the boxes. Spents have been taken in the draught nets; not one, however, out of fifty in January, and they were always returned to the water. When they fished in December they have taken some fish in that month, going up to spawn. One year he fished all through for the purpose of experiment, and to prove the fishery; and whenever they caught a coloured Salmon in November or December, it was always put above the weir. Mr. Hart does not own the property on both sides of the river, but no one has claimed a right to angle upon it in consequence of holding land on its borders. The river passes through Lord Leitrim's estate, and alongside those of Mr. Irwin and Mr. Barton; but none of these gentlemen have claimed a right to fish; and, as long as he remembers, it has been the exclusive and several fishery of Mr. Hart. Since the late Act he has fished from the 12th February to the 20th August, and he considers that they lost a little by not being allowed to fish in January. In the whole month of January the most he has ever taken is fifty Salmon. It would be very much the interest of himself and Mr. Hart to be allowed to fish from the 1st January; the spents would not be destroyed by anglers in that month, for angling does not commence so early: March and April are the angling months. He has no great cause to complain of persons poaching in the Close Season; the river is well cared; he has not summoned or prosecuted any one for illegal fishing these two last seasons. Witness caught a spent fish last year, and marked it on the tail, and in five or six weeks it returned a good sound fish. Mr. Hart supplies but one water-bailiff, Owen Gallagher.

Protection.
Tributaries.

Spawning.

Migration.

Fishing time.

Produce.

Owen Gallagher, sworn.—Is a water-bailiff on the Lacagh, and employed by Mr. Hart the whole year round. He is acquainted with the river twenty-nine years, and has cared it during the entire of that time. He has seen the fish rooding; never saw them rood in any quantity before the 20th November; the greatest quantity rood from the 15th to the 22nd December, and the last time he has seen the fish on the beds was the 5th or 6th January. Witness has watched the movements of the Salmon after having deposited the spawn, and where a ford was dry he has sometimes turned in the water and dug up the spawn. He found the fish perfectly shaped, but cannot say what interval had elapsed from the time the eggs were deposited. He thinks the young fish go down about three months after they are spawned. The Fry run down from the end of March to May; they may, perhaps, come down before March, but he cannot observe them before in consequence of the floods. The fish spawned in November come back as Peal in the May following, and are then from three pounds to four pounds weight. He has frequently seen the Gravelling or Jenkin, and considers that it is a small kind of Trout, and not of the Salmon species; he has not heard of any experiments having been made for the purpose of testing the species of the Gravelling. The spents return to the sea from the 1st February to the 14th May; the greatest quantity go down at the end of April or in May, according to the state of the water. When they fished in December they caught in that month, and in January, prime fish fit for any market in England or Ireland, and took very few bad ones along with them. The fish which spawn in January are those which went up the river the beginning of the preceding November. The breeding fish go up all through the year; in fact all the fish going up are going to spawn. Those which ascend the river in January do not spawn till the following November. The Lacagh is a good spawning river; the principal spawning takes place in it, and the Colliough is the best spawning tributary.

Spawning.

Fry.

Gravelling.

Spents.

Mr. George Weir, sworn.—Is joint farmer of the Lacagh fishery with John McBride. The following is a correct return of the quantity of fish taken from 1836 to 1845:—

Produce.

1836.				1837.			
			Salmon.				Salmon.
January,	-	-	25	January,	-	-	26
February,	-	-	10	February,	-	-	41
March,	-	-	36	March and April,	-	-	46
April, -	-	-	22	May, -	-	-	149
May, -	-	-	44	June, -	-	-	702
June, -	-	-	275	July, -	-	-	120
July, -	-	-	423	August,	-	-	27
August,	-	-	29				
Total,	-	-	867	Total,	-	-	1,111

APPENDIX, No. II.

The Lacagh.

1838.				1842.			
			Salmon.				Salmon.
January,	-	-	14	January,	-	-	14
February and March,	-	-	34	February,	-	-	31
April,	-	-	45	March,	-	-	13
May,	-	-	137	April,	-	-	41
June,	-	-	934	May,	-	-	47
July,	-	-	389	June,	-	-	583
August,	-	-	7	July,	-	-	648
Total,	-	-	1,560	August,	-	-	220
Total,				Total,			
1839.				1843.			
January,	-	-	28	January,	-	-	55
February,	-	-	23	February,	-	-	32
March,	-	-	46	March,	-	-	119
April,	-	-	63	April,	-	-	104
May,	-	-	32	May,	-	-	40
June,	-	-	224	June,	-	-	250
July,	-	-	334	July,	-	-	414
August,	-	-	59	August,	-	-	8
Total,	-	-	809	Total,	-	-	1,022
1840.				1844.			
January,	-	-	5	January and February,	-	-	42
February,	-	-	6	March,	-	-	42
March,	-	-	23	April,	-	-	58
April,	-	-	85	May,	-	-	90
May,	-	-	79	June,	-	-	378
June,	-	-	592	July,	-	-	488
July,	-	-	284	Total,	-	-	1,098
August,	-	-	88	1845.			
Total,	-	-	1,162	January and February,	-	-	22
1841.				March,	-	-	34
January,	-	-	11	April,	-	-	47
February,	-	-	21	May,	-	-	61
March,	-	-	66	June,	-	-	498
April,	-	-	59	July,	-	-	228
May,	-	-	65	August,	-	-	28
June,	-	-	180	Total,	-	-	918
July,	-	-	369				
August,	-	-	107				
Total,	-	-	898				

Prices.

Fifteen pence per pound was the former price of fish in January, but latterly 1s. per pound is the price of the earliest fish. The lowest price is in July, when it is 3½d. per pound. The general average weight of the Salmon is about seven pounds. Witness sells his fish in Rathmelton; it is taken from him at the fishing house there. The best Open Season, so as to take the greatest quantity of good fish and allow a sufficient quantity up to stock the river, would be from the 1st January to the 12th August. The quantity taken during the first fortnight in January is very small, so that it would make very little difference whether the season commenced on the 1st or 15th of that month.

Season.

BALLYNESS FISHERY.

Ballyness Fishery.

Mode of fishing.

Fishing time.

Obstruction.

Protection.

Wybrants Olphert, esq., sworn.—Is proprietor of this fishery; it is an estuary fishery. There are two spawning rivers—the Tullaghobegly and the Gortahaul, terminating in Ballyness Bay. The Tullaghobegly flows from Altan Lake; there is no fishery in it or the Gortahaul. The estuary fishery is carried on with draught nets; there are no bag nets on that shore, nor is there any other fishery there but his own. He fishes it himself, and has no lease of it. The Ballyness is a late fishery; it is fished from the 1st June to the 20th August. July is the best month. He does not desire any extension of the season. He holds this fishery by patent from the Crown; he has always preserved the tributary rivers, and, as far as watching, has exercised an exclusive right of fishing, but the land along the rivers does not belong to him. There is no net fishery in the lake or upper waters; the Salmon do not go up to the lake; there is a natural impediment upon the river, which impedes their upward progress; it is forty feet in height, and nearly perpendicular. Witness has tried to remove the rocks, and make a passage for the fish, but did not succeed. He never heard of a Salmon stair, by which a passage could be made over any obstruction at a moderate expense. The fishery would be amazingly improved if the Salmon could reach the lake. In the Open Season persons go along the rivers and catch the fish with a species of hoop net, which is attached to a long handle. Witness has three water-bailiffs on one river, and three on the other; these men live along the banks of the rivers which they protect; he pays some 30s., and others £1 a year, for protecting. He sells the

produce of his fishery. He has taken so much as 100 Salmon in three hauls, but 400 is as much as is generally taken during the season. The average weight of his fish is six pounds. He caught one Salmon of thirty pounds weight last year; it was one of the fish of these rivers, for the fishermen can easily distinguish them. There are no bag nets at all round this coast. Witness's grandfather once established an Oyster fishery in this locality, but the people carried the Oysters away, so that he could never preserve the beds. He considers the position and nature of the coast favourable for the construction of artificial beds; the beach is shingly, and there is sea-rack growing upon it, but a very strong current of water sets in upon it. There is a disposition to poach among the people; the police, however, have been very active in protecting this last year. There is a river called the Rye, a little to the north-west of Ballyness, in which an excellent fishery could be made if it were protected; but it belongs to too many persons to make it worth their while to preserve it. It is a good spawning river, but the mouth of it is closed in Summer by the drifting of shingle, and they then catch at Ballyness the fish which would otherwise go into the Rye. There is a very fine deep-sea fishery on this coast, particularly off Tory Island, but it cannot be prosecuted for want of safety harbours. There is a good boat harbour south of the Foreland, at Inishsirr; a pier at Inishboff or Magheraroarty would be very desirable, and could be constructed easily and at moderate expense. There is a fine fishing bank extending from the north of Tory Island along the whole north coast of Donegal, to Inishtrahull; but until there is an abundance of shelter harbours formed, the fishery cannot be pursued. There is a pier or quay at Ballyness, but it is in bad condition, and witness is willing to contribute to the expense of repairing it.

APPENDIX, No. II.

Ballyness Fishery.

Produce.

Oysters.

The Rye.

Want of harbours.

THE BUNINVER.

John Irvine, sworn.—Is agent to the Reverend Mr. Nixon, the proprietor of this fishery, and lives at Falcarra, which is situate about ten miles from Dunfanaghy. He is well acquainted with the Buninver, which is connected with Lough Anina; the length of the river from the lake to the sea is about a quarter of a mile. There are good spawning grounds on this river if the fish could reach them; but there is a natural obstruction near the lake, about fifteen feet in height, which is perfectly impassible. The Buninver is also connected with Lough Via; and there are very good spawning grounds on many parts of it. Mr. Nixon is proprietor of the land on both sides of the river and all round the lakes; he has only lately purchased the property. Witness heard Mr. Nixon speak of applying to the Board of Works in reference to the erection of a pier for boats, which would be very useful; Mr. Nixon is willing to contribute towards the expense of such an erection. There is a rock at the mouth of the Buninver, which to some extent serves the purpose of a pier, but if a proper pier were erected, it would greatly benefit the locality. Salmon have been frequently taken in the river; there is a gravelly bottom in it between the lake and the sea.

The Buninver.

THE CLADY.

Francis Forster, esq., agent to Lord George Hill, stated, that the present season from the 12th February to the 20th August, was the one best suited to this fishery, and on the part of Lord George Hill requested that no alteration be made.

The Clady.

Season.

Edward and James Gallagher, examined.—Witnesses are joint lessees of the Clady river, under John Austin, esq., and Lord George Hill. They hold Lord Hill's part along with land, and pay him £70 a-year for land and fishery; the land is not worth more than £5 a-year. They pay Mr. Austin £6 16s. 3d. a-year for the part of the fishery which they hold under lease from him. Mr. Austin's property, called Knocastoler, is on the south side of the river, and according to a map executed 1804, is of the following extent:—

Rent.

	A.	R.	P.
Arable Land,	39	0	0
Pasture, Moor, Rock, and Lakes,	391	0	25
Strand,	4	2	10
Half River adjoining,	2	2	0

Cunningham measure.

Witnesses have the fishery of Lake Nacung as far as Dunlewy. They keep thirteen water-bailiffs on the river, and pay them £13 10s. for their services. They sell their fish in Rathmelton. The fishing commences in May and ends the 12th August. July is the best month; they often catch sixty in a haul in that month, and they make two or three hauls in a tide. They tried the bag net there last year, but the mesh was too large for successful fishing. The present season is quite suitable for this fishery. When an odd fish comes before May, they use a little landing net for the purpose of taking him. They give permission to gentlemen to angle on this river. Spawning begins in November; the greatest quantity takes place from the 12th to the 15th November, and it is all over at the end of December. The spents begin to descend at the end of December or the beginning of January, and they are all down in May. The descent of the Fry commences in May; the greatest number go down at the end of May and the beginning of June; and they are all out of the river at the end of the latter month. Dunlewy, Cunn, and the main river are the best for spawning. The Clady is a good Trout river, but they have not taken that fish latterly in consequence of the size of the mesh. There is no fishing with lights on this river since they received the aid of the police in protection: the parish priest also lectures the people upon the impropriety of killing the breeding fish. The

Protection.

Best month.

Migration.

APPENDIX, No. II.

The Clady.

Mesh.

Piers.

Tory Island.

Fishing gear.

Gola Island.

Pier.

mesh fixed by the eighth and ninth Victoria, of one and three quarter inches from knot to knot, is quite suitable. An extension of the pier at Bunbeg is very desirable, and the stones necessary for such a purpose are very convenient. A considerable trade of kelp, for making iodine and muriates, is carried on between Bunbeg and Glasgow. Kelp is now more than £8 per ton; from 30s. to £3 per ton is the lowest that they have known to be given for it, and that was about three years ago. There is great competition in that trade. Witnesses know Tory Island, there is a great fish bank there; and if a shelter harbour were erected upon it, the fishery would become of great importance. Sailing smacks from twenty-five to thirty tons burden are the best suited for fishing on this coast. Long and hand lines are the best fishing gear; there is plenty of Flukes, Eels, Muscles, and Lugs to be had for bait for the deep sea fishery. The place most favourable for a shelter harbour in this locality is Gola Island; it contains 429A. 3R. 7P., and has from 200 to 300 inhabitants. It is only a mile from the shore, is well sheltered from the westward, and there is capital anchorage between the island and the shore. The best shelter is on the Gola side; the stones are plenty, and a harbour could be constructed with little expense. The island is the property of Lord Hill; and there are plenty of creeks in it. Trawling for bait used to be carried on in this locality about thirty years ago. They had no Herrings the last season; the weather was too stormy, and they were afraid to venture out to sea, although they knew that there was an abundance of Herrings in the water.

LETTER FROM GEORGE VAUGHAN HART, Esq., to J. REDMOND BARRY, Esq., in reference to the LACKAGH FISHERY.

Kilderry, December 19, 1845.

Letter from George
Vaughan Hart, esq.,
to J. Redmond Barry,
esq.

SIR,—In consequence of an advertisement in the Derry papers, I take the liberty of giving you in writing, what information I can relative to the "Lackagh Fishery," now in the possession of my family. It includes Lough Glenveagh and Glen Lough, the Owen-Carrig and Lackagh rivers, with their tributaries, and extends to the outside of the late William Wray's property of Ards, including Ranasligie, now in the possession of Mr. Stewart.

I find by an old memorandum that in about the year 1783, at which time, in all probability, the fishery was still more imperfectly managed than it is at present, the following note:—

"This season the Salmon which have been sold before the 1st of August, or about that time, produced at one penny per pound, £33; when the greatest number of large Winter fish were not able to get out of Glen Lough into the river, on account of the shore of the Lough being almost quite dry, so that a fish could not swim into the river."

I give you this memorandum in order that you may compare it with the evidence you may receive from Mr. George Weir, who farms the fishery, and whom I have desired to appear before you on the 22nd; I have also desired the head water-keeper to accompany him. I regret that it will be quite out of my own power to be there also.

As the Lackagh fishery is a Winter fishery, precisely similar to that of Ramelton, I hope it may be allowed the same Open and Close Seasons.

With respect to Oyster fisheries, perhaps it would not be out of place, to mention that my brother, the late Captain Hart, planted near Doe Castle, young Oysters from Fortstewart, and by that means made a very excellent and productive bed, which since his death (the castle being uninhabited during the Winter time) has been destroyed by the Cockle gatherers, who come from a distance of many miles in quest of Cockles.

I am, Sir, your obedient servant,

GEORGE VAUGHAN HART.

To James Redmond Barry, esq.,
Inspector of Fisheries, &c., Gweedore.

The evidence received at Gweedore completed the Salmon Fishery Inquiry.

FISHERIES—SPRAT WEIRS.

(5 and 6 Victoria, c. 106, s. 39.)

EVIDENCE taken during an INQUIRY held to investigate the rights of certain persons claiming Licence, under the above Section, to use WEIRS in the tideway for the purpose of catching SOLES, TURBOT, SPRATS, HAKE, and other WHITE SEA FISH during the CLOSE SALMON SEASON; and to ascertain under what restrictions and regulations, if any, Licence to use WEIRS for such purpose should be granted.

PASSAGE, COUNTY WATERFORD—MONDAY, NOVEMBER 3, 1845.

JAMES REDMOND BARRY, Esq., presiding.

Present—CAPTAIN BOLTON, R.N.; CAPTAIN CLARKE, R.N.; NICHOLAS A. POWER, Esq., Bellevue; LIEUTENANT COLSTON, R.N.; L. LAMBERT, Esq.; Mr. GILLESPIE, "Viper" Cutter; Messrs. TRACY, O'NEILL, and COX. The attendance of the Fishermen interested in the Salmon and White Sea Fisheries was numerous.

THE clerk having read the notice convening the meeting, in which were set forth the nature and object of the inquiry, Mr. BARRY said that this was a proceeding which should, perhaps, have taken place immediately after the late Act came into operation; but the Commissioners feeling satisfied that the structures, then the subject of consideration, were of great importance to a poor and industrious class of fishermen, as a means of taking a description of fish which was particularly valuable, not only as food but as bait for the long line fisheries; and as their further use was only to be permitted where certain claims existed, it was judged expedient to defer any decision respecting them until the best opinions had been received upon the subject. Another cause of the delay was, that, under the late Act, the Commissioners had no power to hold an inquiry unless at the expense of the parties interested; and as the applicants in the present case were, with a few exceptions, of the humbler class, it was considered advisable to let the investigation remain over until it could be carried on without trouble or outlay to private individuals. One peculiarity of the late Act was, that it protected vested rights; and this was observable in the subject of that day's inquiry. Although it was provided that there should be a clear opening of a certain width in the eyes of all flood and ebb weirs, and that all netting and other means of taking fish should be removed therefrom during the Close Salmon Season; the 39th section made a saving and exception for such weirs as persons were entitled, *by charter or prescriptive right*, to use for the purpose of catching White sea fish during the Close Time. In cases where the existence of a charter was alleged, the charter should be produced; and where a claim was founded on prescriptive right, it would be necessary to prove that the engine, sought to be licensed, had been continuously used for the capture of White sea fish as long as the oldest living witnesses could recollect. The evidence adduced to sustain the claims of the several applicants, would be laid before the Commissioners; and they, in conformity with the Act, would issue their license for such period as they might think proper; and at the same time, accompany it with such conditions as, upon due examination, they considered necessary to prevent their being improperly applied to the detriment of the Salmon fishery. In conclusion, he wished it to be most distinctly understood, that all persons interested in the Salmon fisheries were at liberty to propose such questions to the witnesses produced as they considered calculated to put the matter in its proper light before the Commissioners; and begged of them to suggest such regulations for the use of the Sprat weirs as they judged expedient for preventing their application to improper purposes.

The earliest application had been made by George Elliott; and his case was made, therefore, the first for consideration.

George Elliott, claimant by prescription.

Edward Delany, sworn.—Is seventy-two years of age, and a fisherman. Was born at Passage, where he remained till 1803, at which time he went to sea, and he returned again to Passage in 1813. Knows the weir or poles for which Elliott claims a prescriptive right to use for taking Sprats and White fish; it is between *Glenwater Bay and Duncan-nan Fort*; and is held under Lord Templemore. It has been always used for taking Sprats and White fish as far back as his memory can reach; and it was always in the same state as now. It has often been allowed to stand without being fished; but he cannot recollect that it remained for any number of years without being fished. He never, during his whole life, knew any contest to have taken place about it; nor any objection whatever to be offered to its use. Never knew a Salmon to be taken in it. It is an ebb and not a head weir; £6 a year has been paid for it.

Sprat Weirs.

PASSAGE,
CO. WATERFORD.

APPENDIX, No. II.

*Sprat Weirs.*PASSAGE,
CO. WATERFORD.

Mr. BARRY inquired if any person had any question to ask, or any objection to make to the evidence of this witness; and no answer having been given, the next case was proceeded with.

Nicholas Power, Esq., of Belleview, claimed a prescriptive right to use a Sprat weir on the river Suir, at the lands of Belleview, in the County Kilkenny.

James Hincks, sworn.—Is forty-nine years old; and has lived at Belleview since he was born, with the exception of a few months. Knows the weirs for which Mr. Power claims a licence to take Sprats; there are two weirs; one a flood and the other an ebb weir. First as to the ebb weir. This weir stands as it is marked on the map which Mr. Barry shows him. He has been fishing it these thirty years; his father, who was upwards of eighty years of age when he died, fished it before him; and has often told him that it was always up during his recollection. He has never known it to be used as a Salmon weir; but always for taking Sprats alone. It is fished from high water to half tide; that is for three hours; after that time the eddy tide breaks in upon it, and it can be no longer used. It is of the same construction as the Passage weirs. He cannot tell its value; it has never been let, but merely used for house purposes. Witness also knows the *flood weir* belonging to Mr. Power; it is situate at the Pill, on the Kilkenny side of the river, and nearly opposite the stream which runs below Faithlegg. It is a *head Salmon weir*; and constructed in the same way as the same way as the head weirs on the Ross river. It is fished for Salmon during the season for Salmon; but during the Sprat season the Salmon nets are removed and the Sprat net put on. There are other weirs similarly circumstanced on the river; one of which belongs to Mr. Giles. Never saw or knew Salmon to be taken in this weir while used for catching Sprats; for they could not kill Salmon in the Sprat net. The ebb weir belonged to Mr. Sheil's father, and the flood to Mr. Power's father.

Thomas Tobin, claimant.

Edward Delany, the witness in George Elliott's case, deposed, that he knew this weir as long as his memory could carry him back. It is an ebb weir, and he himself fished it over fifty years ago. It has been frequently broken down by storms and accidents, but it was always replaced, and has ever been used, during his memory, as a Sprat weir. When he knew it first, it belonged to Patrick Power, who was then an old man, and Tobin's wife's uncle; it went from him to his niece, Mary Fitzgerald, and then to the wife of Thomas Tobin, the present claimant. He knows of Tobin's wife to have sold a portion of this weir.

Edward Fitzgerald, claimant.

Edward Delany deposed, that this weir was as old as his memory could carry him back; it adjoins Tobin's, and was purchased by the present owner about five or six years ago, from Mr. Conn, for the sum of £10.

Edward Delany, claimant.

John Organ, sworn.—Is about seventy-four year's old; a native of Passage, and has always lived there. Knows Delany's weir as long as he can remember any thing. Knew it to be in the possession of John Rogers, the deputy surveyor, before the present owners got it. Delany has but a third part in this weir. Alley Crane and Mary Rogers are joined in partnership with him. It is an ebb weir, and situate opposite Passage.

Patrick Tracy, claimant.

George Elliott, sworn.—Knows the weir in question, which is the joint property of Patrick Tracy and Thomas Whelan. It is an ebb weir, and has been continually fished for Sprats, to his knowledge, these thirty-seven years; that is as long as he knows Passage. Mr. Power, of Faithlegg, is paid £4 a year for it.

In reply to Mr. Barry, *Thomas Whelan* stated, that he had a lease of this weir, but it was now expired. He had been fishing it himself these twenty-seven years, and his father had it forty years before him. It was to Mr. Bolton's father that his father paid rent for it. Tracy, his partner, is joined with him about three years; it is an ebb weir, and situate at Cheekpoint.

William Hearne, claimant.

Edward Delany deposed, that this weir was situate at Passage. Hearne has no partner in it, and paid no rent for it. It is an ebb weir, and as old as he can recollect any thing.

Maurice Kelly, claimant.

Edward Delany deposed, that Kelly's weir was situate next the foregoing, subject to no rent; of the same construction, and as old as the others.

John Power, claimant.

Edward Delany deposed, that Power's weir was as old as any of the others; it had formerly been in the possession of Mr. Tuthill, and was transferred from different hands till it came to the present owner. Power is also a partner with John Murray in a second "berth," which was erected about seven years ago.

Michael Kelly, claimant.

Edward Delany deposed, that he knew Michael Kelly's weir; it was put up about seven years ago; it is a new erection, in a place where he never knew poles to have been previously.

John Kelly, claimant.

John Kelly's weir was admitted by himself to be a new erection, similar to the preceding.

John Pepper, claimant.

Edward Delany deposed, that Pepper's weir is the oldest on the bank; nobody knew when it was erected; it belonged to old Jack Galgy, and was bought for £3, from Hamilton's wife, Galgy's daughter.

John Rack, claimant.

Edward Delany.—Knows Rack's weir; it is as old as any of the rest; it is higher up than the others, about 100 yards, and is of very little value. There are two in this "berth," and Rack's is the inside one.

Rack stated, that he was a partner with Patrick and William Hogan, in the two weirs in this "berth." He had purchased his share, which is one-third of both, for £14; they are now worth nothing.

Patrick Kelly, claimant.

Edward Delany.—This weir is out near the Spit, and is as long in existence as he can remember. Kelly has one partner, named John Cavanagh, and both Cavanagh's and Kelly's fathers were joined in the ownership of it before them. This weir is between those of Mr. Murray and John Burke.

John Burke, claimant.

Edward Delany.—Burke's weir is adjacent to Kelly's, and is as old as the others. He has it about eight years, and bought it from Mr. Conn for £4 15s. Mr Spencer is his partner, and the £4 15s. was for the half. Mrs. Joanna Spencer had his portion before he got it.

Thomas Butler, claimant.

John Cavanagh, sworn.—Knows this weir; it is about four feet below his own, and was erected about twelve or fourteen years ago.

Thomas Butler stated, that it was erected by himself, where there were no poles before.

Richard Organ, claimant.

Edward Delany.—This weir is as old as any on the bank; it is the inside one of all, and is of very little value; there was no net set on it this year at all.

L. Lambart, Esq., claimant.

Mr. Lambart stated, that the weir for which he applied for licence was situate at Parkwood, between Passage and Checkpoint. It is an ebb head weir, similar to that of Mr. Power; it is worked the same as the poles, and is of the same construction; no man sits on the head when working it; and it is never used for the capture of Salmon.

Edward Delany.—This weir is erected as long as he can recollect; he never knew it to be used for any other purpose than that of taking Sprats.

James Kennedy, claimant.

Edward Delany.—This weir is as old as any of the others.

Mr. Kennedy stated, that he held this weir from Mrs. McDougall, whose right is of the same description as Mr. Lambart's, as the weirs of both are situate on a joint property. He pays £8 a year for it. The position in which it is placed is more favourable than that of the others, and it is furnished with wings. He has caught a Salmon now and then in it. The number however was small, not amounting to three these two last years. Salmon, in fact, could never be taken in it, except when jammed in with a shoal of Hake.

Mr. BARRY inquired if there were any present who had any objection to the licensing of this weir, on the ground of its being likely to prove detrimental to the Salmon fishery; and no answer was given.

Martin Whelan and Patrick Walsh, claimants.

Whelan stated, that the weir, for which he and his partner applied for licence, was situate at Knockrow, just below the watering place, on the Marquess of Waterford's estate, and at the passage side of Mr. Lambart's weir. It is an ebb weir, and was put up by Kennedy and himself about twelve or thirteen years ago. He never saw a weir there before.

Edward Delany.—There was no Sprat weir there before, but there was a flood weir for catching Salmon, which belonged to James Johnson.

Patrick Walsh, claimant.

Edward Delany.—This is an ebb weir, and constructed long before his time. It is on

APPENDIX, No. II.

Sprat Weirs.PASSAGE,
Co. WATERFORD.

the Marquess of Waterford's boundary, and nearer to Passage than Mr. Lambart's boundary.

Patrick Walsh stated, that he pays £3 a year for this weir to Nicholas Wyse, tenant of the Marquess of Waterford; he never took a Salmon in it in his life.

Robert Sheehan, claimant.

Edward Delany.—This weir is as old as any of the others.

Sheehan stated, that his father had it before him, and that it was put up by his father, who is now dead over twenty-five years.

Patrick Toole, claimant.

Edward Delany.—Toole's weir is as ancient as any on the bank; it belonged to Thomas Jones, a man who lived in Passage thirty years ago.

Toole, the claimant, stated, that a man named Thomas Baston was a partner of his in this weir. He bought the two-thirds of it from John Cavanagh and Ned Hogan, who are now dead, for £4, and Baston gave £2 for the other one-third. He cannot tell the value of it, but there are many seasons during which he loses more than he gains by it: it is an ebb weir.

Patrick Meade, claimant.

Meade's weir is situate at Kilcullen, above Mr. Lambert's; it is an ebb weir, similar to the former.

Patrick Williams, sworn.—Is seventy-three years of age, and he remembers this weir of Mr. Meade's as long as he can remember anything. It has been always and continuously used as a Sprat weir; he has always lived adjacent to it, and during his life he never knew a Salmon to be taken in it.

Patrick Meade stated, that he pays £1 a year for this weir to Mr. Power, of Kilcullen, a tenant of Lord Waterford's. He has a partner named Matthew Power.

James Anderson, claimant.

Anderson's weir is situate above Cheekpoint, and near it.

John Potter, sworn.—Is about sixty-four years old; has been living in Cheekpoint these twenty-eight years, and lived at Duncannon before then. This weir was erected by James Anderson in 1822; there was no weir there before to his knowledge.

James Anderson stated, that he pays no rent for this weir; it is on the estate of Mr. Power, of Faithlegg. He has another Sprat weir on the Kilkenny side of the river, at Snow Hill, nearly opposite the first one, for which he also claims licence.

John Potter, already sworn, knows this weir also; it was re-erected by Mr. Anderson about seventeen years ago. Is quite sure it is an old weir renewed. He remembers poles having been there a very long time ago, and when they were putting up the new poles they found the mill stones in which the old poles had been made fast at the bottom.

George Kent, claimant.

This is an application for a *Head Salmon Weir*, used during the Close Salmon Season for taking Sprats; it is situated opposite Cheekpoint.

James Anderson, sworn.—Is fifty-eight years old, and knows this weir, for he has lived opposite it since he was born; it is there as long as he recollects anything, and, according to hearsay, believes it was there 100 years before his birth. The first time he remembers it, it was of the same construction as it is now; it was afterwards made into a Scotch weir, and, as such, it was removed in 1824; it was then restored to its former shape. Believes that it was an ancient weir for taking Sprats, but cannot say that it was used for that purpose when he was a boy. It was used as a Sprat weir thirty years ago, but only when there was a great run of Sprats; it was not used as a Sprat weir this year.

Captain H. Bolton, claimant.

This weir is situate near the confluence of the Suir and Barrow, and at the off side of the "White Horse." It is an ebb weir, never used for taking Salmon, and almost quite worthless. It is dry at low water, and is held by Martin Walsh, under Captain Bolton.

Michael Halligan, sworn.—This weir was erected by Walsh about sixteen or seventeen years ago; to his knowledge there was no weir there before that time. It is held by Walsh along with land, and is merely used to get bait for Spillers.

William Murphy, claimant.

This weir adjoins William Kearne's, and is at the spit.

Edward Delany.—This is an old ancient weir. Murphy got it from Spencer, and Spencer from Foran, whose father had it before him.

Michael Casey, claimant.

Edward Delany.—This weir is near his own, and below the garrison. It is of the same construction as the rest, and was put up about seven years ago. There was no poles there before that time.

Michael Casey stated, that William Grady and he were partners in this weir. He bought his half, about two years ago, from Ellen Mullins for £2 10s.

Patrick Morony, claimant.

Applicant stated that his was a *Salmon head weir*, occasionally used for taking Sprats. It is a flood weir, situate on the Kilkenny side of the river, and below Mr. Power's. He took it from Mr. Hackett six years ago, and pays £3 a year rent. He has fixed Sprat nets to it every year except the last. It is used for catching Salmon during the Open Season.

Fanny Kearne, claimant.

Edward Delany.—This is an ancient weir; it is next to Patrick Toole's, and they both formerly belonged to the same person.

David Bennett, claimant.

The applicant stated that this was a weir which was only built seven years ago, but that a weir stood in the same place sixty years since. It is a regular Sprat weir, but of very little use, except for the purpose of catching a little fish for the pigs.

Patrick Williams, already sworn, stated that as long as he can remember, he knew old poles to be in the same place where Bennett's weir is now. It is over thirty years since he, on one occasion, caught fast in them when fishing for Herrings.

Catherine Flavin, claimant.

Edward Delany.—This and Pepper's weir, which are both together, are the oldest on the bank. They belonged to old Galgy. Mrs. Flavin's was bought by her husband, who is now dead, over twenty years.

Mary Power, claimant.

Edward Delany.—This weir is on the middle of the bank, and next to Mrs. Flavin's; it is of equal antiquity with the rest. Mrs. Love is Mary Power's partner.

James Mason, claimant.

This weir is a new erection, put up by himself about seven years ago.

Geoffry Kearne, claimant.

This weir is erected about seven years.

Patrick Kearne, claimant.

This weir is next to John Power's new weir, and about seven years erected.

Edmond Delany, claimant.

This is next Patrick Hearne's, and erected about the same time.

Edward Delany and *John Organ* deposed that the weirs of the following persons were ebb Sprat weirs, or poles, and erected as long as their memory could carry them back:—1, Mary and Patrick Power; 2, Thomas James Organ, nephew of John Organ; 3, Maurice Power; 4, Maurice Wyse; 5, John Buckley; 6, Nicholas Power, of Crook; 7, John Murray and John Power; 8, Thomas John Organ, son of John Organ; 9, John Connor; 10, John Power, of Crooke, carman; 11, John Murray, Thomas Kennedy, and Alley Crane, partners. The weir of the last mentioned persons formerly belonged to Captain Hunt's sister, and was purchased by Murray.

As no other applicant for licence appeared, Mr. BARRY expressed a desire to have the testimony of some persons interested in the Salmon fishery upon the subject of the inquiry.

Edward Delany, already sworn, stated that he was one of those who fished for Salmon with the draught net during the Open Season; and that they were all most desirous for the protection of the Salmon fishery. The weirs which were sought to be licensed could by no possibility injure that fishery; the poles are always stripped of the Sprat nets and gear on or before the 1st January, and left naked till June. Even during the Sprat season they are generally never fished, except for the three first hours of the ebb tide. He never during his life saw a Salmon Fry taken in the Sprat nets, for, as he said before, they are not fished at the time when the Fry are in the river, which is in March, April, and May. During his whole experience he never knew of but two spent fish to be caught in the Sprat weirs. As a condition upon which these weirs or poles should be used, so as not to injure the Salmon, and benefit the Sprat fishery, he considered it desirable that they should not be fished from the 1st February to the 1st June.

Mr. Lambart said, that it was a matter of great importance that the Sprat weirs should be fished in June, as they were, at that time particularly, a most valuable source of bait for the deep sea line fishery; and he considered that the Commissioners, in coming to any conclusion upon the matter, should keep before their eyes the interests of the line fishery, inasmuch as it was better calculated than any other to produce a body of active and hardy seamen.

Thomas Whelan, sworn.—He has fished his Sprat net in June, and never took Salmon Fry, or saw them taken in that month. He never took Fry in June. The deep sea fishers procure their bait from the Sprat weirs; and during the months of July, August, and September, when the Salmon Fry are not running, they are of the greatest value as a

APPENDIX, No. II.

Sprat Weirs.

PASSAGE,
Co. WATERFORD.

means of obtaining bait. There never has been any contests about these weirs, and no person whatever objected to their being used during the months in which the Fry are not running.

Captain Clarke, sworn.—He is in no way interested in the fisheries, but he knows this locality well; and he is of opinion that if the small quantity of bait taken in the Sprat weirs after the 1st June were cut off, the deep sea fishery would be ruined. The people come a distance of eighteen or nineteen miles at night, to get a small basket-full of the bait taken in the Sprat weirs. He has known the Dungarvan fishermen to be supplied with bait by the Passage nets.

James Hincks, sworn.—He has fished with the Sprat nets in June, July, and August, and he never took one Fry in them in all his life. If the poles were fished from the 1st February to the 1st June, they would kill Salmon Fry.

Mr. Power stated, that the quantity of Sprats taken, would not sometimes pay for the nets; the importance of these weirs consists in their being a source of bait for the deep sea fishery.

Mr. Barry expressed his satisfaction at the manner in which the evidence had been given during the inquiry. He never met so many people so meritoriously disposed to make a true statement of all the facts; and he would be sorry if there were any probability that their present privileges should be curtailed. Most satisfactory evidence had been received as to the antiquity of a great number of weirs, for which licences were claimed; while in other cases it was candidly admitted that they were modern erections. The evidence in reference to all would be laid before the Commissioners, and he knew that they were well disposed to give as much facilities as possible to the capture of fish, and to grant licences as generally as the Act would allow, and the interest of the fisheries require. It was quite clear to his mind, that the Sprat poles could not injuriously affect the Salmon fishery, when used only at the time pointed out during the inquiry; and if no legal objection existed, the licences for these would be issued as soon as possible; after that, none but those licenced could be used, nor could any others be hereafter erected. With regard to the other description of weirs, it would be necessary, before granting licence, if licence were granted, to obviate the possibility of their being used for the capture of Salmon.

Mr. Barry then entered into an explanation of the more important sections in the amended Act of last session, and took occasion to refer to *Mr. Strangman's* late application, for liberty to use trammel nets at all hours, in order to give the parties present an opportunity of objecting to such permission being granted, if they considered it injurious to their fisheries.

Mr. Lambart considered that neither trawl nor trammel net fishing should be permitted at all; the shoals of fish are broken by large nets, and the trawl fish are not at all so good as those caught in small boats, and by lines.

Mr. Barry said, that the strong prejudice against trawling now in progress of removal at Dunmore and other places, could be traced to a spirit of monopoly, and adduced several instances of the fishery being vastly improved by the introduction and encouragement of trawling.

Tobin, Delany, and the others, whose weirs had been proved to have been erected beyond the memory of the oldest persons, gave expression to an anxious desire that no distinction should be made between the old and the new, and hoped that licences would be given to all.

The Passage inquiry then terminated.

SPRAT WEIRS ON THE NORE AND BARROW, CONJOINED.

NEW ROSS, COUNTY WEXFORD, WEDNESDAY, NOVEMBER 5, 1845.

JAMES REDMOND BARRY, Esq., presiding.

Present—CHARLES TOTTENHAM, WILLIAM M. GLASCOTT, THOS. BOYD, EDWARD CHAPMAN,
— ROACH, PATRICK MAGEE, DOCTOR MULLINS, and JOHN FRENCH, Esqrs.

NEW ROSS,
Co. WEXFORD.

THE notice of meeting having been read, *Mr. Barry* said, that he had come there to hear the claims of persons who considered that they had a right, under the 39th section, to use certain weirs for taking White fish, during the Close Salmon Season. The section which gives the Commissioners the power to grant licences, gives them also the power to annex such conditions to their use as will secure their proper application; and he was most desirous of receiving from those interested in the Salmon fisheries, such suggestions on the subject, as they considered the protection of their interests required. It would appear as if the law were disregarded in that quarter, as very few applications for licences had been made. One of an early date had been received from *Mr. Cox*; and the reason why it was not previously attended to, was, because the Commissioners have but lately obtained the sanction of the government to incur the expenses of such an inquiry.

Mr. Pierce Cox, claimant for two Flood Weirs, connected together at Fisherstown.

William Shallow, sworn.—Will be seventy-five years old on the 23rd of next December; and he knows *Mr. Cox's* weirs to be in their present position forty years, at all events. He has known it to be always the custom to fish them for Sprats during the Close Salmon Season;

a mesh of less than half an inch is then used. It is not necessary to sit on the stage when fishing for Sprats, unless when there is a great run of them. A Salmon could not be caught in the Sprat net except the net was supplied with threads and a man was holding them; and even then it could scarcely be done. They fish for Sprats from September to Christmas, and longer, if the run holds; but they do not continue so long as March, except it might be once in twenty years.

To Mr. Barry.—Does not fish the weir himself; it has been continuously fished for Sprats and White fish these forty years. The Salmon nets were always removed when the Close Season commenced; and then, if the Sprats were going, the Sprat nets were put on. Sprats and White fish were always fished for in September, October, November, and December; and it was one year in twenty that they were fished for between January and July.

To Mr. Magee.—He could catch Sprats by having the head removed, and with a pulley below, as it is at Passage. Supposing that he fitted himself with strings to the Sprat net, and sat on the head of the weir, with the intent of taking Salmon, he might take one by chance; but if he caught one, it would not pay him for his time; it would not be worth his while to sit on a weir and fish for Salmon with a Sprat net, even if he were at liberty to do so.

To Mr. Barry.—He has never known Mr. Cox's weirs to be fished on a Sunday. Mr. Cox took them from the Rev. Mr. Glasscott about twenty-five years ago, and he pays rent for them, but witness cannot tell the amount. On an average of seven years the White fishery of this weir is worth about £10 a year. The fish taken are generally for bait and food, and the line fishermen come from Dungarvan to get bait from these weirs. The description of fish caught in these weirs are Sprats, Hardhead, Whiting, Tumblin, some large Cod, a good deal of Hake, Flounders, Sand-dabs, and bait. Never knew of any law or complaint about these weirs. They were once erected into a Scotch weir when there was liberty for them, and when the Scotch weirs were prohibited they were made into a head weir again; as a Scotch weir they were taken down in 1844.

To Mr. Magee.—He has never taken what are called Suen or Trout with the Sprat net, but he did with the Salmon net in this weir.

Mr. Barry inquired of the witness if he were aware that all fish of the Salmon kind were entitled to the same protection? and he having answered in the negative, Mr. Barry read that part of the 113th section, which explains the meaning of the word "Salmon" when mentioned in the Act.

Witness to Mr. Magee.—He has never known the weir owners to sit in boats and hold strings across the mouth of the Sprat net for the purpose of catching Salmon.

Denis Coady, Ballyvirneen, claimant.—A Flood Weir.

Denis Coady stated, that he did not think it was necessary, or he would have brought witnesses to prove the antiquity of this weir. It is situate just at Lucy's rock, and since he got it he paid £6 10s. a year for it to Roach. He fished it every year for Sprats except last year, when he was afraid to put up the Sprat nets. The White fishery of it is worth about £2 a year, but its greatest value is for Salmon. He has never taken a Salmon in it with the Sprat net. This weir was re-erected by Roach about fifteen years ago, but as long as he can recollect there was a weir there before.

Mr. Barry inquired if any person had any doubt about the accuracy of Coady's statements, as he could not be sworn in his own case.

Mr. Magee said, that he was quite sure that the statements were correct, and as he knew something of the weir he had no objection to be examined respecting it.

Mr. Magee was then sworn, and deposed, that he knew this weir nearly forty years. It was allowed to go to ruin for want of means on the part of the former owner, and was re-constructed about twelve or fourteen years ago. It remained in disuse for some years, but he cannot state exactly the length of time. It is on the estate of Mr. Murphy, of Annace. He cannot of his own knowledge say whether Denis Coady pays rent for it, but he is sure that the statement already made by Coady may be relied upon.

Patrick Hunt, claimant.—Mountainago Weir.

William Shallow, already sworn.—Knows this weir; it is a flood weir, and situate on the Wexford side of the river, and near the new wall. It is there since beyond his memory, and all the time he recollects it, it has been used for taking White fish in Winter. It is fished in the same manner and with the same sort of net as Cox's weir. It is held, along with land, by Mr. Hunt, from Mr. Glasscott. Putting the Salmon out of the question, the White fishery of this weir is worth £5 or £6 a year. The wings are not now longer than formerly, and they were always there except when broken down by the storm. The wings extend far into the river, but he never heard any complaints as to this being injurious to navigation, nor does he think that such is the case. All the weirs extend out into the bed of the river, but pilots consider this an advantage, as the outer part serves as a landmark to prevent vessels from running in on shoal.

Patrick Hunt stated, that he had another, called the "Annace Weir," for which he would not apply for licence to fish for Sprats, as he never used it for that purpose.

Lady Esmonde, claimant.—A Flood Weir.

Patrick Blake, sworn.—Is fisherman to Lady Esmonde, and the weir for which licence is applied is situate under her ladyship's house. He cannot say how long it is erected, but

APPENDIX, No. II.

*Sprat Weirs.*NEW ROSS,
Co. WEXFORD.

he has fished it for Sprats for the last two years. It is only fished for Lady Esmonde's own use, except when there is a run of Sprats, and then it is used to get a supply for the poor in her employment. It is seldom fished except on fast days. October, November, and December are the only months in which it is used to catch Sprats and White fish, but it is fished for Salmon in the Open Season. It was used for this purpose last year, but the Salmon nets, and every thing belonging to the Salmon fishery, were removed during the Close Time. If he were allowed to sit constantly on the head of this weir, and use strings, he might, by the merest chance, catch a Salmon in the Sprat net if the water were about one foot deep. Such a thing is never done, nor would the odd Salmon pay for the time consumed in taking it. The quantity of Salmon taken in the entire season is about fifteen pounds weight.

Mr. Magee stated, that he knew this weir to have been always stripped during the Close Season.

William Shallow said, that he knew this weir to be in existence these sixty years, and it has been continuously used for taking White fish on fast days only, during the Winter months.

Edmond Murphy, claimant.—Clogroad Weir.

Richard Walsh, sworn.—Knows this weir well; it is a flood head weir, and situate at Carney's Bay. It has been built between twenty-five and twenty-six years. It has been constantly used since then for taking Sprats, and the produce of it had been usually given to the poor. He never saw them catch Salmon there when fishing for Sprats; Sprats, Whiting, and Fluke are caught in it. Whatever is done hereafter, there should be no hinderance to its use this year, when the "Lumpers" and the usual food of the people are failing them.

William Shallow, claimant.—An Ebb Weir, near Ballinlaw Ferry, south of the Flood Weir belonging to the same person.

William Shallow said, that he did not apply for licence for the flood weir, as it never was used for taking Sprats except in the most extraordinary circumstances.

Michael Halligan, sworn.—He knows Shallow's ebb weir; it was put up about seven or eight years ago; there was one put up about twelve or thirteen years ago in a place about eight or nine perches from the present one, but it was thrown down. He has seen this weir fished, and he would give £5 for it for the four Winter months. It is usually fished from September to Christmas; he has known it to be fished sometimes in January, but never in February or March. He never saw or heard of Salmon Fry being taken in it, but, if used in February, March, April, and May, they undoubtedly would be taken. This weir is fished for Salmon in the Open Season. The Salmon taken in it were few, but not spents; they were good Peal. Some of the ebb weirs are fished for Salmon, and some are not.

Mr. BARRY inquired if those interested in the Salmon fisheries had any questions to ask this witness, and no answer having been made, the next case was proceeded with.

Joseph Lawlor, claimant.—An Ebb Weir.

Joseph Lawlor stated that this weir had only been erected four years; it was just at the head of Lady Edmond's weir, and situate on her property. It is of no value whatever, but it cost him a great deal to put it up.

Joseph Sullivan, claimant.—A Flood Weir next the Ballinlaw Ferry above the Weir, on the property of Mr. Magrath of Dungarvan.

Edmond Barden, sworn.—This weir has been built these forty or fifty years. It was put up for catching Salmon, and was seldom used as a Sprat weir. Witness formerly owned it himself; and he never fished it for Sprats. Knew that Sullivan occasionally used it for that purpose since he got it, and that is about nineteen years since. Up to nineteen years ago it was never fished for Sprats; for the Herrings were so plenty that they did not mind the Sprats.

John Cahill, claimant.—An Ebb Weir at Snowhill Wood, below the White Horse, and about forty perches from the point.

Michael Halligan, already sworn.—This weir is situate on the property of Mr. Power of Snowhill. The man who had it before Cahill, improved upon it about seventeen years ago, and there was a weir there for ten years before. It was always used for Sprats; but he was told that there was a Salmon net on it last year. It is a great weir for Sprats, and is particularly well circumstanced to take a great quantity of them when the glut comes in. On an average of seven years, there has been about £5 worth of Sprats and White fish taken in it each year.

Edward Bennett, claimant.—A Flood Weir on the Wexford side of the River at Ballinlaw.

Edward Barden, already sworn.—Knows this weir as long as he can remember, and that is sixty years at all events; it has been always used for the taking of Sprats in the Close Season. He lives near this weir; and saw that the Salmon nets and all means of taking Salmon were removed during the Close Season. Even with strings attached to the Sprat

net a man could not take Salmon in it, for the bag is too heavy, and he could not be quick enough to draw up the under part of the net.

To Mr. Magee.—Even if the men were in a boat, and had a pully attached to the under part of the net, they could not pull it up with sufficient rapidity to catch a Salmon.

James Butler, claimant.—*An Ebb Weir, off the lands of Fisherstown, and between Pilltown and Dollar Point.*

James Kavanagh, sworn.—Mr. Butler's father had a Scotch weir there before him, and it was cut down; but some of the timber remained until three years ago, and then it was made into an Ebb weir. It is sometimes used in Summer for taking Salmon; but its principal use is for Sprats. It is thirteen years since the Scotch weir was there.

Mr. Butler stated that he knew his father to have a head weir there for taking Spats, but that he was not in a position to prove it.

Examination continued.—Witness does not consider that the Salmon taken each year for three years was worth more than £3. It is Salmon Peal, and not spents that are taken in it in the Open Season. The white fish caught in it are worth about £2 10s. a-year. As the Sprats run now, he would consider it better that it should be continued as a Salmon weir alone, if not allowed to fish for both.

To Mr. Magee.—He could not, the best day he ever was, kill a Salmon with a Sprat net, even if it were lawful to do so.

Catherine Halligan, claimant.—*A Flood Weir between Lady Esmonde's and the Ferry of Ballinlaw.*

William Shallow, already sworn.—He knows this weir to be there these forty years, and believes that there has been one there these 200 years. It has always been fished for Sprats just as the others. Catherine Halligan pays at present to Miss Quann, about £4 a-year for it; but she used to pay £15. There was another Weir built near this one by Sullivan, and its efficiency was by that means destroyed; it is a Salmon weir also.

Maurice Denn, claimant.—*An Ebb Weir at Rochestown.*

Richard Walsh, already sworn.—This weir is opposite Fisherstown, and near Dollars-point. It was built about six or seven years ago, but he saw the stakes of an old weir there before; this old weir was never in fishing order within his memory. The present weir is only used for Sprat fishing, but he saw them endeavouring to take Salmon in it three or four times this season. It would be better for the owner to use it as a Sprat than a Salmon weir, if he were not allowed to have it as both.

Pierce Delahunty, claimant.—*A Flood Weir at the point of Snowhill grounds.*

John Cahill, sworn.—Remembers this weir these twenty years; and during that time it has been always used for taking both Salmon and Sprats in their respective seasons. Has never known Salmon to be caught in the Sprat net. It is better for Sprats in Winter than for Salmon in Summer. One year with another, the Sprat fishery is worth £5. Delahunty pays £3 a-year rent to Mr. Power of Snow Hill.

Edmond Forrestal, claimant.—*A Flood Weir at Rochestown.*

Richard Walsh, already sworn.—Knows this weir forty years, that is, as long as he can remember. During that time it has always been fished in Winter for Sprats. He did not see a Sprat net on it this year.

Maurice Denn, sworn.—This weir is on Mr. Forrestal's property, and it has been fished for Sprats in Winter as long as he can remember, except last year and the year before. It is one of the worst weirs on the river, and is not worth more than £1 a-year.

This was the last of the applications, and before the meeting separated, Mr. BARRY alluded to certain breaches of the Salmon fishery laws which had been committed by the cotmen, and pointed out to the magistrates the necessity of inflicting heavy penalties, particularly for violations of the Close Time; and having recommended the parties interested, to discontinue the White fishing until the decision of the Commissioners were known, the inquiry terminated.

YOUGHAL, COUNTY CORK, SATURDAY, NOVEMBER 8, 1845.

JAMES REDMOND BARRY., Esq., presiding.

Present—SIR WILLIAM HOMAN, Bart., CAPTAIN STEUART, J. P., M. P., RICHARD SMYTH, Esq., J. P., FRANCIS C. CURRY, Esq., J. P., MESSRS. FOLEY, BROWN, DENNIHY, SCOTT, WORLD, Chief Officer of Coast Guard, and HODNETT.

Besides these gentlemen there was a numerous attendance of other persons connected with the fisheries.

Mr. BARRY having explained the object of the Inquiry, the nature of the evidence to be adduced, and the general views of the Commissioners on the subject-matter of that evidence, he invited, as on the former occasions, all persons interested in the Salmon fisheries to put such questions to the witnesses as they considered calculated to elicit the

APPENDIX, No. II.

Sprat Weirs.

NEW ROSS,
CO. WEXFORD.

YOUGHAL, CO. CORK.

APPENDIX, No. II.

Sprat Weirs.

YOUGHAL, Co. CORK.

real facts of the case, and give such information to the Commissioners as the protection of their interests required.

Mr. Foley considered that Sprat weirs should not be allowed to remain erected higher up the river than the Sprats were usually in the habit of going.

Mr. Barry thought it was quite sufficient for the purposes of the licence if the weirs were erected in places where the Sprats had ever been known to go. The use of all such weirs would be subjected to such restrictions as to preclude the possibility of their being employed in any manner injurious to the Salmon fishery.

Richard Smyth, Esq., Ballinatravay, claimed a licence for two Weirs.

James Mahony, sworn.—Is seventy-four years of age, and he has known these weirs at Ballinatravay for fifty years back. He has been living in this neighbourhood since. They existed before that time, and Sprats and Herrings were the only kind of fish taken in them; he never saw any other. The net used for the purpose is of a small mesh, and it runs to a purse in the end. There are two weirs; one is opposite the Abbey, and the other is lower down on the river, upon the slob. He has seen these weirs constantly fished, and during his life he never saw Salmon or Salmon Fry taken in them. They are ebb weirs. The time at which the Sprats are taken is from the 1st November to the 1st January. From this till Christmas they run in large quantities, but he never knew them to be running in large quantities in January or February. They very seldom run in the Summer, or begin to run till October or November. They are fished for *Mr. Smyth* himself. The man who fishes them, he supposes, has an account of the produce. He never saw them fished in January or February.

Cross-examined by Mr. Brown, solicitor.—Knows the Abbey weir; it is a Sprat weir. At low water none of the stakes of this weir are in the water. Never saw or heard of Salmon being caught in these weirs.

Lawrence Humphreys, sworn.—Fishes *Mr. Smyth's* Sprat weir, and has done so for the last eleven years and nine months. The Abbey weir is built inside low water mark. The outside wing is built on top of a rock over six feet inside low water mark, and the stage where the poles are placed, and all the rest of the body, are ten yards within low water mark. There is a stage or platform on the top, on which a man remains during the time the Sprats are running; he does not fish the net with strings; but as this weir is only used when there is a great run of Sprats, the man stands on the top, and when the net fills, he raises it up and empties it into the boat. When the Sprats are in large quantities he cannot say how many times the net would be emptied in one fishing; the number of times would be from thirty to fifty. One large boat load, containing about eighty firkins, is the most he ever knew to be caught at one tide. The other weir is built with two wings, and a simple eye, without a pound or pocket. Since it was rebuilt anew, two years ago, he has not fished it. There was always a weir there; this and the Abbey weir are of the same age, but differently constructed. When this, the lower weir, is not fished, there is nothing to prevent the fish going up or down. This is not the case with the Abbey weir, which is provided with a pound or pouch, in which Sprats, Herrings, Tamlin, and Fluke are caught. He never knew a Salmon or Salmon Fry to be taken in it. It is always open from the 1st March to the 1st June; there is then a perfectly free passage made, and holes are cut underneath to admit the Fry. Never knew spents to be taken in it in January or February, but White fish may be caught up to the 1st March, and it is worth while to fish the weirs up to that time. Fry begin to run at the latter end of March; he never saw them before the 17th, and they continue till the latter end of May. From the beginning of August to the end of November is the best time for the Sprat fishery. The weirs are always opened from March till June. They are in *Mr. Smyth's* own hands. They have been of very little value these last two years. £30 a year is about their fair average value, and an industrious man could fairly afford to pay that for them.

Cross-examined by Mr. Brown.—The Abbey weir has not been used these two years, and the pouch is never closed from March till June. A blind Salmon might be caught in it, but the orders are to let go any Salmon taken in it. This weir is profitable at all times, except during the three months in which it is opened.

Lord Steuart de Decies, claimant.—An Ebb Weir, on the Waterford side, a little above the bridge of Youghal.

Robert Ronayne, esq., sworn.—Is seventy-five years of age, and has known the Sprat wier on Lord Steuart's property these sixty years. He has resided in the neighbourhood, and saw it continuously used during that time for taking White fish. It is an ebb weir, and not constructed for the capture of Salmon, but it might by possibility take one in time of flood. It is of the same construction as *Mr. Smyth's* Abbey weir; it has a platform and a pound. He is deeply interested in the Salmon fisheries, and is of opinion that weirs of this description cannot be prejudicial to the Salmon fishery, provided they be open when the Fry are running down; and in order to allow the Fry to run down, their use should be interdicted in the months of March, April, and May. Believes that they are fished throughout the year, except during these three months. There is no want of bait, but, on the contrary, a great abundance of it when there are Sprats in the river. They were at one time—about ten or fifteen years ago—so plenty that they were thrown to the pigs. *Mr. Dennihy* has this weir now for twelve or sixteen years, and he did not clear his expenses by it. He considers £20 a year would be a very high rent for it.

Cross-examined by Mr. Brown.—Sprats are caught in this weir, even when there is not a great glut in the harbour. It never cleared its expenses; but he cannot say what would cover the expense of keeping it up. There is only one weir on Lord Steuart's property, and the stakes of this weir extend below low water mark. He never saw, but he heard of a Salmon being taken in this weir.

APPENDIX, No. II.

Sprat Weirs.

Youghal, Co. Cork.

William, Richard, Catherine, and Margaret Power, minors, claimants.

Maurice Power.—Is over forty years of age; lives at Youghal, and is well acquainted with the Powers' weir. It is situate at Pillpark, the property of the Osborne family, and is held by the parties above named, who are minors, and his younger brothers and sisters. He is their guardian, but he has no interest in the weir. The fishery is attached to the land, and is not held by lease, but there is a promise of one. The rent, including tithe, is £26 a year; the land is worth nothing; the whole value is in the fishery. Going back for fifteen years, the average expense is £80 a year for the wear and tear of the weir; and the value of it to an industrious person would be about £20 a year. He fished it for himself about fifteen years, and believes if it were well traced it would be found to be as old as Christianity in Ireland. It is as old, at all events, as any in the country. It has two leading wings, leading to a small compass of four feet in width, and that small compass is open without any trap. Behind that, there is a pound of about sixty feet in the round, and to this is attached a gate seven or eight feet wide, to open in the Fry season, and it is kept open from the end of February to the beginning of June, which is time sufficient for the Fry to go down. He once, a long time since, saw a couple of hatsfull of Fry in the pound. This occurred about the beginning of May, but it was at the time when the gates used not to be opened. Since the cry came about preserving the Salmon, they have always opened the gates. He considers that it would be sufficient to have them opened from the 20th February to the 5th June. Witness is interested in the Salmon fishery, and anxious for its preservation. There is no net attached to this weir, but a small one is used for drawing the pound. His father used the long purse net, but not in his time. This weir can only be fished exactly at low water of neap tides, and two hours before low water at springs. There is now no stage upon it.

Cross-examined by Mr. Browne.—The weir is about one quarter of a mile in extent; and as long as he remembers it, the number of Salmon taken in it does not average six. Is interested in the Salmon fishery, and there is a Salmon weir upon the property. A quantity of weeds collect about Sprat weirs, and the Salmon will not then go near them. This weir was never made new except when it required it. He is no way interested in it, except that, of course, he is anxious for the welfare of those who have it. He has a Sprat weir of his own.

Maurice Power claimed a licence for an Ebb Sprat Weir, which he rents from the Rev. Percy Scott Smith.

William Scott, esq., sworn.—Is agent to Mr. Scott Smith these twenty-five years, and is about fifty-five years of age. Is acquainted with this weir these twenty years, and he was told that it existed before that time. It is an ebb weir, and used exclusively for taking Sprats and White fish. There is no long net attached to it, but there is a pound and a draught net with which it is drawn. The pound is provided with a gate eight feet wide, but he cannot say whether it has been opened regularly to give free passage to the Fry. It was in disuse for a number of years, Power promised to pay £14 a year for it, but out of fifteen years' rent he has paid but one. It is the general repute that it is a most ancient weir. When it was remodelled last year, Power promised £10 a year, but he only gave a dish of fish. No complaints have ever been made against it as an engine injurious to the Salmon fisheries.

Cornelius Keffe, sworn.—He remembers this weir these thirty years; and when he was a little boy he used to go to it for bait for his grandfather. It is a very useful weir, and important as a source of bait for the sea fisheries. Knew of the Dungarvan, Kinsale, and Cork fishermen to have been supplied with bait by those weirs, when it could not be otherwise had. The Youghal fishermen have no objection to this weir, but, on the contrary, they would be often sadly distressed but that they obtained a supply of bait from it.

No further evidence having been adduced, Mr. Barry drew attention to the recent enactment, and dwelt particularly on those sections which referred to the reduction of the stamp duty on water-bailiffs' appointments, and the increased facilities for constructing and protecting artificial Oyster beds. He strongly remonstrated against the conduct of certain magistrates, who, by refusing to inflict penalties for breaches of the Close Season, up to a time which they thought fit to determine upon, practically made a different season for their locality; and in conclusion, he pointed out the mischievous results which would attend the infliction of merely nominal penalties for violations of the law respecting the Close Season.

Mr. Browne appeared on behalf of the Duke of Devonshire, to protest against the existence of a prescriptive right in any person to fish for Sprats, in opposition to the exclusive right enjoyed by the Duke. Every fishery from Lismore to the sea was his, and all these weirs were but encroachments on his patent.

Mr. Dennihy appeared for Lord Steuart de Decies, and claimed for his lordship a right to fish in the river, which right existed long before any that the Duke possessed. He was prepared to prove that right at any time the matter was brought to issue.

Mr. Smith said he held rights both by prescription and charter, and these rights he was ready to fight for.

APPENDIX, No. II.

Sprat Weirs.

YOUGHAL, CO. CORK.

Mr. BARRY begged to assure the gentlemen, that the act of the Commissioners in issuing a licence, did, in no manner, affect private rights. The licence does not confer on the person claiming it, any right other than he had before, to the possession of the engine licenced; it merely saves him, while in possession, from a penalty for a particular mode of fishing; but it gives him no additional claim to the engine, if his title to it be afterwards disputed by others. It is, in fact, to the engine, in its particular position, that the licence will be granted; that engine will be marked and numbered; and he who is in possession on the issuing of the licence, is not, in consequence, made either better or worse, as far as right to that possession is concerned.

This explanation quite satisfied the gentlemen interested, and, after some conversation, which had reference to the Salmon fisheries, the inquiry terminated.

KINSALE, COUNTY CORK, TUESDAY, NOVEMBER 11, 1845

BROOK TAYLOR OTTLEY and J. REDMOND BARRY, Esqrs., presiding.

Present—WILLIAM BULLEN, JAMES BARRY GIBBONS, CHARLES G. GIBBONS, WM. FITZJAMES BARRY, and JOHN ISAAC HEARDE, Esqrs.

KINSALE, CO. CORK.

The Clerk having read the notice of meeting, Mr. OTTLEY explained the meaning and bearing of the 39th section, under which the saving is made for the weirs which were the subject of inquiry.

Mr. BARRY stated, that the only application that had come from this locality was from Mr. Bullen, and they would therefore proceed to consider his claim.

Mr. Bullen's Weirs.

John Donovan, sworn.—Is upwards of forty years of age; he lived at Roughwood nine years, and it is thirteen years since he left it. He remembers Mr. Bullen's weirs twenty-eight years or more; in fact, as long as he can remember the place, there were weirs there for taking Sprats and White fish, and the first time he saw them they had the appearance of being a very old construction, as there were weeds and grass grown about them. He is engaged in fishing these weirs. The fish caught are applied to various purposes, but it is used specially for bait. They are of great importance, and particularly useful as a source of bait for the line fishery. There are two weirs; the upper is an ebb, and the lower a flood weir. He has known the upper weir to be used for taking Salmon, when Salmon were passing, and that they put themselves in a way for taking them.

Mr. BARRY inquired if there were any person interested in the Salmon fisheries disposed to put any questions to this witness.

The following memorial, from the fishermen of Courtnasherry Bay and Kinsale Harbour, was then handed in:—

That memorialists find great difficulty in getting bait in the Winter months, being chiefly dependant on lugs, the supply of which is scanty, and the procuring them attended with general loss of time, and other inconveniences, especially in frosty weather, which is the most favourable for Winter Spiller fishery.

That memorialists used, in former years, to obtain considerable quantities of bait at this season, at Mr. Bullen's weirs, and have suffered greatly on being deprived of this resource. Memorialists, therefore, earnestly pray that it be permitted to re-erect those weirs, for the take of Sprats and other White fish during the Close Season for Salmon, inasmuch as, thereby, great advantage will arise to memorialists, and the population of this coast generally, as an increased supply of bait will afford numbers the means of finding profitable employment at a period of the year when agricultural operations being in a great measure suspended, the demand for labour is scarce.

This memorial was signed by 106 fishermen.

Mr. Bullen stated, that he had been in the habit of supplying bait to the different fishermen along the coast. He took down his weir when Mr. Mulvany represented to him that it was illegal, and if he had been fishing it about a fortnight ago he would have made £200.

Mr. BARRY inquired of Mr. Bullen if he had any person to prove the existence of the weirs for a longer time than that sworn to by the last witness.

Mr. Bullen replied, that in consequence of the very heavy rain which had fallen that day and the night before, the attendance of a very old witness was prevented, but he would call on Mr. Gibbons, who knew it a longer time than the last witness.

James Barry Gibbons, esq., sworn.—Is over fifty years old, and recollects these weirs over thirty years. The first time he saw them they had all the appearance of old weirs, and must have been constructed a long time before. He lived in the neighbourhood then, and was on intimate terms with the owner of these weirs. Knows that bait has been taken in them in large quantities, and the fishermen of the Old Head of Kinsale, and of this entire district, were in the habit of procuring their supply of bait from these weirs.

Mr. BARRY said, that in consequence of the peculiar position in which Mr. Bullen was placed by the absence of the witness in whose power it was to prove the antiquity of these weirs, and as he was possessed of some information on the subject, he thought it right to put his testimony on record.

Mr. BARRY having been sworn, deposed, that the late Dr. Bullen, of Cork, who was his father-in-law, and uncle to the present applicant for licence, left that part of the country

in the year 1790; and in their conversations together he stated to him (Mr. Barry) that he knew these weirs at Roughwood to have been constantly used for the taking of Sprats and White fish. He said that they were a most abundant source of bait for the fisheries in the vicinity of Kinsale, and from the necessity that existed for the fishermen to go to great distances for the purpose of procuring bait, and the consequent difficulty of pursuing their vocation, he recommended the erection of such weirs generally throughout the country for the benefit of the fisheries. This is quite clear on his memory, and, from the statements of Dr. Bullen, he believes the Roughwood weirs to be very ancient.

Mr. Bullen then proposed to abandon the flood as a Sprat weir, and only use the ebb weir for that fishery. He said he would also model and construct the latter weir according to the direction of the Commissioners, so that it could not injure the Salmon fishery.

Mr. Walsh, barrister, objected, on the part of Mr. Fruen, to the granting a licence to Mr. Bullen's weirs; and produced the following witness:—

William Ryan, sworn.—Is woodranger to Mr. Fruen, and knows the weirs at Roughwood. Six or eight years ago he saw them down altogether for two successive years. If these weirs were fished for Sprats during the Close Salmon Season, they would intercept a large quantity of fish, and be of great injury to the Salmon fishery. He remembers these weirs as long as he can recollect the place. There are two of them, and he has no doubt, that if used in their present state, they would interrupt the progress of the Salmon. He thinks that a Sprat weir could not be so constructed as not to take Salmon. He never saw the weirs on the Suir, Barrow, or Blackwater; but he considers that any sort of weir would take Salmon, unless the open would be so narrow as not to admit a Salmon. He has never seen a purse net. He can suggest no other condition to which the use of the Sprat weir should be subject, except that the poles should be so close, that nothing but a Sprat could enter. He knows nothing whatever about the line fishery.

Mr. Bullen said, that he could produce a witness to prove that the weirs were never prostrated.

Armiger Hunt, sworn.—He recollects these weirs these thirty years; and the first time he saw them they had the appearance of being old. During these thirty years he does not recollect having ever seen the body of the weir down, and he lives quite near it, and has a view of the river from his house. He cannot swear that there has not been a season during which they were not fished; but they were up, and the poles were standing every season during these thirty years. The ebb weir is fished at low water—that is the last three hours of ebb. Before the late Act the net used at the weir was of a small mesh, and took both Salmon and Trout.

As no other application was made, the Kinsale Inquiry terminated with evidence of this witness.

APPENDIX, No. III.—STATE of the REGISTRY of FISHING VESSELS on the Coast of Ireland, to January, 1846, and Men registered since January, 1845, from the Returns of the Registering Officers, the Number of Maritime

NAME OF DISTRICT.	Boundaries.	District Letter.	Registering Officer.	First Class employed in Fisheries, up to 1st Jan., 1845.			Second Class employed in Fisheries, up to 1st Jan., 1845.		
				Vessels.	Men.	Boys.	Boats.	Men.	Boys.
Dublin, . . .	From the whip of water near Raheny to the Breaches, Wicklow.	A	Capt. Neame, .	63	238	55	146	606	14
Gorey, . . .	From the Breaches to the Sluice, Wexford,	B	Lieut. Boileau, .	190	1,158	—	55	294	—
Wexford, . .	From the Sluice to the East Bank of Bannow Ferry.	D	Lieut. Sterne, .	45	165	4	278	1,375	7
Waterford, .	From the East Bank of Bannow Ferry to Ballyvoile Head.	E	Capt. Kellet, .	48	199	14	320	1,318	14
Youghal, . .	From Ballyvoile Head to the East Side of Ballywilliam Cove.	G	Lieut. Bagehot, .	109	603	26	477	2,200	35
Cove, . . .	From the East Side of Ballywilliam Cove to Flat Head.	II	Capt. De Courcey, .	107	370	35	644	3,167	83
Kinsale, . .	From Flat Head to the East Side of Inch Bridge.	J	Lieut. Irwin, .	93	545	33	726	4,364	23
Skibbereen, .	From the East Side of Inch Bridge to White Horse Head.	K	Capt. Bradley, .	73	543	9	1,474	7,075	165
Castletown, .	From White Horse Head to Innisherky, .	L	Lieut. Keeling, .	46	183	2	1,417	6,947	106
Valentia, . .	From Innisherky to Bridge of Castlemaine	M	Lieut. Fowler, .	6	20	—	509	3,047	187
Dingle, . . .	From the Bridge of Castlemaine to the Custom House, Blennerville.	N	Lieut. Clifford, .	28	151	—	396	2,772	10
Listowel, . .	From the Custom House, Blennerville to Tarbert Island.	O	Lieut. Lawrence and Mr. Dexter, .	65	304	—	144	562	—
Miltownmalbay, .	From Tarbert Island to Black Head, .	P	Capt. Mann, .	49	156	—	572	1,879	4
Galway, . . .	From Black Head to Mace Head, .	R	Capt. White, .	707	3,484	34	952	3,746	66
Clifden, . . .	From Mace Head to Ruanna Point, .	S	Capt. Syer, .	205	828	—	1,082	4,328	—
Westport, . .	From Ruanna Point to Achil Head, .	T	Capt. Nugent, .	37	140	2	430	2,031	11
Belmullet, . .	From Achil Head to Butter Point, .	V	Lieut. Dawson, .	4	19	—	439	1,955	5
Killala, . . .	From Butter Point to Ballina Bridge, .	W	Lieut. Henri, .	1	4	—	364	2,399	17
Sligo, . . .	From Ballina Bridge to Abbey Point, .	X	Lieut. Hamilton, .	11	54	1	399	2,311	13
Killybegs, . .	From Abbey Point to the South Point of Gweebarra Bar.	Y	Lieut. Bates, .	10	29	6	716	3,764	426
Dunfanaghy, .	From the South Point of Gweebarra Bar to the Hawk's Nest, Inch Island.	Z	Lieut. M'Gladery, .	—	—	—	1,320	5,468	241
Carne, . . .	From the Hawk's Nest to Magilligan Point	AA	Lieut. Penfold, .	28	89	2	555	2,399	17
Ballycastle, .	From Magilligan Point to the Mountain Stream south of Drumnasloe.	BB	Capt. Holland, .	3	11	—	406	1,381	16
Carriekfergus, .	From the above Stream to Bar's Port, .	DD	Lieut. Bowie, .	17	48	5	313	854	69
Donaghadee, .	From Bar's Port to Owenalecky, .	EE	Capt. Skinner, .	80	342	13	875	2,707	81
Newcastle, . .	From Owenalecky to Warrenspoint, .	GG	Capt. Oliver, .	100	501	47	273	1,163	21
Dundalk, . . .	From Warrenspoint to Ballywater, .	III	Capt. Andrews, .	23	153	7	274	1,229	20
Swords, . . .	From Ballywater to the whip of Water near Raheny.	JJ	Capt. Gilbert, .	89	469	92	112	466	57
Total, . . .				2,237	10,806	387	15,718	71,807	1,708

SUBSTANCE OF OBSERVATIONS MADE BY INSPECTING COMMANDERS

A.—DUBLIN.—A general improvement in all the stations of this district. The quantity of fish taken less than the preceding year. No new modes of taking fish introduced. No conflicts of any kind, and habits very orderly and peaceable.

B.—GOREY.—No change in the condition of the fishing establishment; an increase in the Herring fishery. No new mode of fishing; no conflicts of any kind; habits quite orderly and peaceable. The registering officer adds, "the coast is often lined with boats which are unable to go out for want of a practicable harbour, which creates much misery among the fishermen."

D.—WEXFORD.—Generally speaking no improvement in condition of vessels. A less productive fishery than last year; this is particularly true of the Herring fishery, but the Oyster fishery has improved. Bag nets for the capture of Salmon introduced by one person and contemplated by several others. No conflicts of any kind, and habits very orderly.

E.—WATERFORD.—An improvement in first class boats, which have been more successful than usual; second class boats much less successful, being unable to venture far out to sea from the want of places of refuge. Salmon fishery not productive. Conflicts less frequent than usual, and general habits orderly and peaceable. The registering officer would strongly recommend the erection of piers for the refuge of small boats, which are unable to fish for a large portion of the year; the want of such accommodation has been particularly felt during the last year.

G.—YOUGHAL.—A general improvement, particularly in the gear. Fishery less productive in all kinds of sea fish. No new mode of taking Salmon adopted. No instances of conflicts known this year; habits quite orderly and peaceable.

H.—COVE.—Condition of fishing establishment much the same as last year; no improvement in boats or gear. Season less productive. Bag nets have been used with success. No instance of any conflict known; habits orderly and peaceable.

J.—KINSALE.—Condition improving in boats, gear, and fishing craft. Produce of fishery not so good as former years, owing to the fish not keeping in on the coast. No new modes of fishing introduced. Only a single instance of any conflict; and habits, at present, quite orderly.

K.—SKIBBEREEN.—A small improvement in the establishment, but a great deficiency in gear, &c. for the boats. The season has been considered bad in this district. A great deficiency in the quantity of Salmon taken, owing to the period at which the Close Season commenced. No instance of any conflict; general habits exceedingly peaceable.

L.—CASTLETOWN.—Condition improving. Season less productive. Salmon fishery not improving. No bag nets introduced. Instances of conflicts of very rare occurrence; general habits orderly and peaceable, with a few exceptions in the Kenmare river.

M.—VALENTIA.—Condition much the same. Season about an average. No new mode of fishing introduced. No conflicts of any kind; habits very orderly and peaceable.

N.—DINGLE.—Condition of boats in some parts of this district improved; not so about Dingle itself. Canoes fast superseding larger boats as less expensive and better adapted to the coast. The season less productive, particularly in Dingle Bay; this is especially true of the Herring fishery. Salmon fishery on the decline in the Carragh, Laune, and Castlemaine rivers. No bag nets yet introduced, an objection being entertained to their use. Instances of quarrels less than usual; habits of the fishermen generally orderly, "unless when stirred up, and then they are angry and disorderly enough."

O.—LISTOWEL.—Boats and gear have increased, and are in better condition than in the year 1844. The season not productive owing to tempestuous weather. Salmon fishery generally improved. No conflicts whatever; general habits orderly and peaceable.

P.—MILTOWNMALBAY.—The general opinion is, that there does not appear any change for the better in the boats and gear. Season less productive than the preceding, owing to the long continuance of broken weather. No conflict of any kind; habits very orderly and peaceable.

R.—GALWAY.—The boats and gear are much improved. Herring fishery more productive this year than was ever known, and still continues. Ground fishery not so productive as usual. Some disputes between the country fishermen, but not of a serious nature; numerous statements were reported of riots having taken place, all of which have proved to be false. No outrage whatever committed by the real fishermen, although there were some 800 or 900 of them taking fish together in a small bay, like Orammore. The habits and conduct of the Claddagh Fishing Colony have greatly improved; not a single complaint has been proved against these fishermen; it has been generally remarked that they have been better clothed, and their houses thatched and whitewashed. It would be most important

pursuant to the 15th and 16th Sections of the 5th and 6th Victoria, cap. 106; showing the additional Vessels Parishes, Extent of Maritime Boundaries, and the Population of each District, from the Census of 1841.

First Class employed in Fisheries, up to January, 1846.			Second Class employed in Fisheries, up to January, 1846.			Total Number of Vessels to January, 1845.	Total Number of Men and Boys to January, 1845.	Total Number of Vessels to January, 1846.	Total Number of Men and Boys to January, 1846.	Additional Vessels Registered.	Additional Men and Boys Registered.	Number of Maritime Parishes	Population of District.	Number of Miles in Maritime Boundaries.	Observations.
Vessels.	Men.	Boys.	Boats.	Men.	Boys.										
72	271	55	172	759	27	209	913	244	1,112	35	199	14½	68,965	27	All vessels, hookers, wherries, snacks, and others, navigated by sails with fixed masts and rigging, are deemed the First Class; and all yawls, row-boats, and currachs, navigated by means of oars, or the occasional use of sails, are deemed the Second Class.
194	1,071	-	54	319	-	245	1,452	248	1,390	3	62	13	31,703	40	
45	165	4	316	1,534	13	323	1,551	361	1,716	38	165	34½	31,569	68	
57	204	21	333	1,342	41	368	1,545	390	1,608	22	63	28	61,206	76	
116	666	26	570	2,568	58	586	2,864	686	3,318	100	454	18½	65,703	54	
115	575	96	739	2,950	320	751	3,655	854	3,941	103	286	27½	121,022	55	
94	545	35	819	4,445	36	819	4,965	913	5,061	94	96	28	66,332	60	
77	560	12	1,552	7,500	250	1,547	7,792	1,629	8,322	82	530	13	74,443	110	
51	199	2	1,490	7,344	125	1,463	7,238	1,541	7,670	78	432	9½	68,197	110	
4	15	-	707	3,983	192	515	3,254	711	4,190	196	936	9½	44,977	87	
30	170	-	450	3,600	30	424	2,933	480	3,800	56	867	17½	40,654	100	
73	338	2	174	711	1	209	866	247	1,052	38	186	13½	45,573	55	
56	177	1	620	2,211	4	621	2,039	676	2,393	55	354	30½	140,476	193	
747	3,815	66	1,124	4,077	-	1,659	7,330	1,871	7,958	212	628	24½	111,719	107	
207	828	-	1,116	4,464	-	1,287	5,156	1,323	5,292	36	136	7½	45,709	110	
37	140	2	480	1,956	12	517	2,184	517	2,110	-	74	3½	36,448	62	
4	19	-	498	2,207	7	443	1,979	502	2,233	59	254	2½	26,790	112	
2	8	-	402	2,412	17	365	2,420	404	2,437	39	17	6½	29,548	52	
13	60	1	462	2,608	55	410	2,379	475	2,724	65	345	19½	117,284	103	
15	44	6	782	4,068	489	726	4,225	797	4,607	71	382	8	53,440	106	
-	-	-	1,563	6,090	243	1,320	5,709	1,563	6,333	243	624	14½	77,613	174	
30	99	4	612	2,707	17	583	2,507	642	2,827	59	320	15½	98,344	115	
3	11	-	452	1,519	16	409	1,408	455	1,546	46	138	10	34,453	60	
17	48	5	345	941	80	330	976	362	1,074	32	98	14½	129,312	61	
88	377	17	936	2,904	94	955	3,143	1,024	3,392	69	249	22	85,904	89	
102	521	47	316	1,538	32	373	1,732	418	2,138	45	406	12	47,653	50	
23	151	7	282	1,328	20	297	1,409	305	1,506	8	97	14½	44,177	52	
99	588	101	146	558	76	201	1,084	245	1,323	44	239	20	55,481	58	
2,371	11,665	510	17,512	78,643	2,255	17,955	84,708	19,883	93,073	1,928	8,365	451½	1,854,965	2,346	

OF COAST GUARD, AND OTHER REGISTERING OFFICERS.

to that colony to have a shed or market provided at the Claddagh, in which to deposit the fish when they bring it in, instead of being obliged to take it about to the huxters, who give what price they like.

S—CLIFDEN.—As much improvement as can be expected from the poor state of this district. The season unusually unproductive. Instance of conflicts much less frequent, and habits generally orderly and peaceable.

T—WESTPORT.—Little or no improvement in the condition of the boats and gear, which are extremely indifferent. The Inspecting Commander knows of no boat properly fitted with the common requisites. Latter part of the year generally reported to have been productive in the Herring fishery. Salmon fishery abundant, and much improved. No conflicts whatever; and although immersed in poverty, the fishermen are perfectly orderly and peaceable. Captain Nugent adds:—"I had the honour of stating in a former Report, that as regarded the improvement of the fisheries on a coast abounding with every species of fish, some stimulus in the way of premiums for boats best fitted, would be very desirable, not only for the safety of the fishermen and encouragement in their occupation, but as a source of contentment most conducive to peace, good order, and consequent industry."

V—BELMULLET.—Condition of boats much the same: season less productive, owing to the badness of the weather: Salmon fisheries better regulated. No conflicts of any kind, and habits orderly and peaceable.

W—KILLALA.—The Season less productive as to white fish. A Scotchman has been fishing for Lobsters at Kilcummin for the Liverpool market; he has lately removed to Belderrig, where he is likely to be more successful, if not molested by the country people. Bag nets have been introduced off Clogher, near Kilcummin Head, and the owners have been fairly remunerated. No conflicts whatever; and, though the fishermen have an occasional squabble, their habits are, generally speaking, orderly and peaceable.

X—SLIGO.—No change observable in the condition of the fishing establishment. Season very unproductive, owing to stormy weather. Bag nets have been used upon this coast for some time. Salmon Season generally understood to be a good one. No conflict whatever; habits perfectly orderly. Places of refuge are much required for boats at many points in Donegal Bay, particularly at Cloonagh and Bunnatroechn, near Ballyshannon.

Y—KILLYBEGS.—Some improvement in condition. Season a little more productive in round fish and Herrings; the Salmon fishery not so productive; and this is attributed to the number of bag nets along the coast, by which, it is stated, the fish are driven from the estuaries. No conflicts whatever; habits orderly, peaceable, and amenable to the law.

Z—DUNFANAGHY.—No change observable in condition. Season less productive. No conflicts; and habits perfectly orderly. Nothing so much wanted as the erection of piers and safety harbours along the coast where required.

AA—CARNE.—General condition not altered. Season the most unproductive one ever remembered, owing to tempestuous weather; even those boats that went into the deep sea took very few fish. Bag nets established at Cudaff, but with very indifferent success. Only one instance of any conflict, and this occurred between the two contending parties in the Foyle Salmon fishery. General habits remarkably quiet and orderly, except in the above-mentioned instance.

BB—BALLYCASTLE.—No observation.

DD—CARRICKFERGUS.—Condition same as last year, but Season much less productive. No instance of any conflict; and general habits orderly and peaceable.

EE—DONAGHADEE.—Condition much the same as last year, with the exception of the Lough of Strangford, where an improvement has taken place. Several boats have been built, and others are being constructed. More fish taken by hand lines; less by nets. Instances of conflicts less frequent; habits very orderly and peaceable, and present system working well.

GG—NEWCASTLE.—Condition of boats the same. Produce about an average. No conflicts; habits perfectly orderly and peaceable.

HH—DUNDALK.—In condition no difference, except fair wear and tear. The market of Dundalk and the coast of the district much better supplied with fish than in former years. No conflict of any kind; habits perfectly orderly and peaceable.

JJ—SWORDS.—No change observable in condition. Season less productive; Salmon fishery not improved. No conflicts; and general habits orderly and peaceable.

(Signed)

J. REDMOND BARRY.

OFFICE OF PUBLIC WORKS,

DEPARTMENT OF FISHERIES,

15th January, 1846.

APPENDIX, No. IV. APPENDIX, No. IV.—AN ACCOUNT of the RECEIPTS and EXPENDITURE of all such Sums of Money as the Commissioners of Public Works, as Commissioners of FISHERIES, have received and expended under the provisions of the Act 5 and 6 Victoria, cap. 106, for one year, ended 31st December, 1845.

RECEIVED from Sub-Inspectors of Constabulary and others, Moieties of Fines and Penalties imposed under the provisions of the Act, viz., from—				£	s.	d.	£	s.	d.	£	s.	d.
John Lennon, . . .	Tinnahely, . . .	8 January, 1845,		0	17	0						
Thomas Morton, . . .	Stradbally, . . .	16 "		0	2	3						
G. W. Cullen, . . .	Rosbercon, . . .	16 "		0	2	9						
E. B. Warburton, . . .	Tullogh, . . .	22 "		0	0	6						
James Ireland, . . .	Clifden, . . .	28 "		0	13	9						
P. M. Feely, . . .	Cahirceven, . . .	28 "		0	15	6						
J. Duncan, . . .	Parsonstown, . . .	28 "		0	5	4						
Robert Barry, . . .	Castlepollard, . . .	31 "		0	10	0						
E. J. Bannon, . . .	Killarney, . . .	31 "		0	2	6						
John Lennon, . . .	Tinnahely, . . .	31 "		0	2	6						
Richard Evangry, . . .	Killaloe, . . .	31 "		0	1	0						
G. W. Cullen, . . .	Rosbercon, . . .	7 February,		0	10	0						
John O'Hara, . . .	Lisnaskea, . . .	11 "		0	1	3						
E. Dunsterville, . . .	Derrylinn, . . .	11 "		0	5	0						
R. B. Fletcher, . . .	Listowel, . . .	11 "		1	4	9						
J. Daly, . . .	Limerick, . . .	12 "		0	1	3						
J. Ross, . . .	Cushendall, . . .	17 "		2	19	6						
J. Stoker, . . .	Dundalk, . . .	21 "		0	13	0						
E. J. Bannon, . . .	Killorglin, . . .	21 "		0	11	3						
G. J. Hill, . . .	Clonaslee, . . .	7 March,		0	1	6						
W. H. St. Leger, . . .	Lisheens, . . .	10 "		1	9	9						
J. Lewis, . . .	Newport, . . .	14 "		1	2	6						
P. E. Greene, . . .	New Glanmire, . . .	29 "		0	2	6						
H. B. Pilkington, . . .	Blanchardstown, . . .	3 April,		0	15	0						
F. S. Young, . . .	Bagnalstown, . . .	10 "		0	2	6						
L. M'Kinistry, . . .	Ballyjamesduff, . . .	10 "		0	7	3						
J. Lennon, . . .	Carnew, . . .	10 "		0	1	3						
E. J. Bannon, . . .	Coolmagort, . . .	18 "		0	1	6						
J. Ross, . . .	Ballycastle, . . .	18 "		0	19	9						
E. B. Warburton, . . .	Hacketstown, . . .	18 "		0	6	0						
George Wright, . . .	Headford, . . .	23 "		0	8	9						
George White, . . .	Youghal, . . .	23 "		0	10	0						
L. M'Kinistry, . . .	Mount Nugent, . . .	23 "		0	10	0						
H. B. Hill, . . .	New Ross, . . .	23 "		0	1	0						
T. Smith, . . .	Rathkeale, . . .	26 "		0	1	4						
G. Brown, . . .	Carlow, . . .	2 May,		0	8	9						
P. M. Feely, . . .	Cahirceven, . . .	2 "		1	0	0						
James Reid, . . .	Boyle, . . .	2 "		0	1	0						
R. J. O'Brien, . . .	Fermoy, . . .	2 "		0	2	6						
Thomas H. Clare, . . .	Castlebellingham, . . .	7 "		2	12	6						
R. B. Fletcher, . . .	Listowel, . . .	9 "		0	4	9						
J. N. Greene, . . .	Pilltown, . . .	9 "		0	1	0						
W. G. Brett, . . .	Bandon, . . .	16 "		0	9	9						
James Ireland, . . .	Roundstone, . . .	16 "		1	5	0						
D. Ireland, . . .	Dunmanway, . . .	23 "		0	0	6						
F. Farrell, . . .	Newport Pratt, . . .	23 "		0	9	9						
Richard Bookey, . . .	Mullingar, . . .	30 "		0	10	0						
J. M'Leod, . . .	Clonmel, . . .	30 "		0	0	6						
J. Daly, . . .	Limerick, . . .	6 June,		0	2	6						
John Carr, . . .	Ditto, . . .	20 "		0	6	3						
E. B. Warburton, . . .	Hacketstown, . . .	4 July,		0	1	8						
Ditto, . . .	Newtownbarry, . . .	4 "		0	12	6						
P. M. Feely, . . .	Waterville, . . .	11 "		0	9	9						
J. Lennon, . . .	Tinnahely, . . .	11 "		0	1	0						
W. G. Bolt, . . .	Bandon, . . .	12 "		0	2	3						
F. Young, . . .	Bagnalstown, . . .	18 "		0	2	6						
R. Mansfield, . . .	Borris, . . .	18 "		0	9	9						
L. Kennett, . . .	Enniskerry, . . .	22 "		0	1	3						
William Cuthbert, . . .	Rathangan, . . .	22 "		0	0	3						
R. Evangry, . . .	Doonass, . . .	22 "		0	0	6						
Jos. Fishbourne, . . .	Hollymount, . . .	25 "		0	10	0						
S. P. Crawford, . . .	Enniskerry, . . .	1 August,		0	1	3						
J. Ross, . . .	Ballycastle, . . .	1 "		1	10	0						
J. N. Greene, . . .	Kilnaganny, . . .	6 "		0	7	0						
Ditto, . . .	Kilnacow, . . .	6 "		0	0	3						
F. Farrell, . . .	Newport Pratt, . . .	6 "		0	1	3						
J. M'Leod, . . .	Clonmel, . . .	6 "		0	5	0						
W. Macartney, . . .	Baltinglass, . . .	9 "		0	0	6						
E. J. Bannon, . . .	Killarney, . . .	12 "		0	8	9						
R. B. Fletcher, . . .	Listowel, . . .	12 "		0	1	6						
Magistrates, College-street Police Office, . . .		27 "		0	3	0						
W. G. Brett, . . .	Bandon, . . .	27 "		0	9	9						
C. M. Kerin, . . .	Dungarvan, . . .	27 "		0	2	6						
Charles Hayden, . . .	Donegal, . . .	20 September,		1	0	0						
L. M'Kinistry, . . .	Ballyjamesduff, . . .	20 "		0	1	6						
John C. Rodden, . . .	Ardara, . . .	25 "		0	5	0						
George Pinchin, . . .	Skibbereen, . . .	29 "		0	4	9						
J. Daly, . . .	Limerick, . . .	30 "		1	6	2						
John Troy, . . .	Castlebellingham, . . .	10 October,		0	5	0						
J. J. Blake, . . .	Celbridge, . . .	11 "		1	3	9						
L. M'Kinistry, . . .	Virginia, . . .	11 "		0	1	3						
R. Somerville, . . .	Fermoy, . . .	11 "		1	1	6						
E. Dunsterville, . . .	Shounallagh, . . .	6 "		0	5	0						
Carried forward,				36	10	6						

				£	s.	d.	£	s.	d.	£	s.	d.	APPENDIX, No. IV.
Brought forward,				36	10	6							
G. E. Fortescue,	Thomastown,	14	October,	0	8	3							
P. S. Young,	Bagnalstown,	17	"	1	10	0							
E. B. Waburton,	Tullow,	22	"	0	2	6							
Ditto,	Hacketstown,	22	"	0	11	9							
Ditto,	Newtownbarry,	22	"	0	0	6							
Thomas Adderly,	Borris,	22	"	0	1	0							
P. M. Feely,	Cahiriveen,	22	"	0	2	3							
H. B. Hill,	New Ross,	22	"	1	10	0							
Jos. Seymour,	Drumcondra,	23	"	0	0	6							
Ditto,	Athy,	23	"	0	0	6							
J. M. Kinistry,	Virginia,	30	"	0	3	9							
R. Roche,	Carrick-on-Suir,	30	"	0	1	0							
E. St. Leger,	Cloverfield,	30	"	0	9	9							
J. Daly,	Limerick,	31	"	1	0	0							
R. B. Fletcher,	Tarbert,	1	November,	0	4	9							
P. Treanor,	Golden,	4	"	0	3	3							
W. Fosberry,	Clonmel,	4	"	1	13	0							
C. M. Kerin,	Dungarvan,	4	"	0	3	10							
J. Cook,	Wexford,	4	"	0	1	3							
William Reilly,	Mill,	7	"	0	5	0							
James Reid,	Boyle,	17	"	0	1	9							
J. G. Judge,	Castledermot,	17	"	0	2	6							
George Pinchin,	Skibbereen,	17	"	1	0	3							
George Brown,	Carlow,	23	"	0	2	3							
Michael Barry,	Enniskerry,	23	"	0	8	0							
W. Brett,	Strabane,	2	December,	2	0	6							
J. Stoker,	Dundalk,	3	"	0	1	0							
J. Duncan,	Parsonstown,	3	"	0	4	9							
H. B. Hill,	New Ross,	3	"	0	10	0							
Mr. Hudson,	Slane,	4	"	0	5	3							
James Ireland,	Clifden,	4	"	0	4	9							
E. Dunsterville,	Shoumallagh,	8	"	0	5	0							
W. Galbraith,	Newtownbarry,	8	"	0	2	6							
George White,	Middletown,	15	"	0	8	0							
Richard M. Namara,	Kinlough,	24	"	5	10	0							
J. C. Rodden,	Glenties,	24	"	0	2	3							
Total Fines and Penalties,							52	12	1				
Received from Inspecting Commanders and others, Fees arising out of Registration of Boats, pursuant to the provisions of the Act, viz., from—													
Thomas Hamilton,	Drumcliffe,	16	January, 1845,	0	3	6							
A. Kellet,	Tramore,	16	"	0	9	11							
E. M. Skinner,	Donaghadee,	16	"	0	2	7							
Felix Edwin,	Cove,	22	"	0	8	9							
Captain Duncan,	Ballycastle,	22	"	0	0	6							
J. Bowie,	Carrickfergus,	28	"	0	1	0							
Lieut. Lawrence,	Listowel,	4	February,	2	2	0							
Lieut. Boileau,	Gorey,	4	"	2	10	4							
Lieut. M'Glavery,	Dunfanaghy,	17	"	0	4	11							
J. Nugent,	Westport,	17	"	1	1	9							
J. Andrews,	Dundalk,	28	"	0	2	7							
C. Bagshot,	Youghal,	29	March,	0	3	6							
William Dawson,	Belmullet,	18	April,	0	1	0							
B. E. Quadling,	Knightstown,	23	"	0	3	0							
F. S. Syer,	Clifden,	9	May,	0	6	5							
G. S. Penfold,	Carne,	16	"	0	4	4							
Lieut. M'Glavery,	Dunfanaghy,	12	July,	0	6	7							
Felix Edwin,	Cove,	18	"	0	7	2							
A. Kennedy,	Ballycastle,	18	"	0	1	0							
Captain Neame,	Dublin,	25	"	0	3	3							
Captain Bowie,	Carrickfergus,	25	"	0	2	2							
B. E. Quadling,	Valentia,	25	"	0	7	1							
Captain Bagshot,	Youghal,	25	"	0	8	1							
Thomas Hamilton,	Drumcliffe,	6	August,	0	2	6							
Lieut. Morris,	Seafeld,	12	"	0	6	1							
Lieut. Syer,	Clifden,	10	October,	0	1	11							
Lieut. Penfold,	Carne,	17	"	0	3	4							
Lieut. Bates,	Killybegs,	17	"	0	9	0							
Lieut. Dawson,	Belmullet,	23	"	0	3	6							
Lieut. Fowler,	Valentia,	23	"	0	3	1							
Total Fees of Registration,							11	10	10				
Received from the Carlow Fishery Protection Society, towards Inspection of the River Barrow,							20	0	0				
Total Receipts,										84	2	11	
EXPENDED:													
Salaries of two Inspectors, one year to 31st December, 1845,				500	0	0							
Travelling and other expenses of Inspection or Survey,				265	8	5							
Advertisements,				164	18	0							
Coast Guard for expenses incurred in aiding to carry into execution the provisions of the Act,				151	13	9							
Incidents, Parcels, Office Assistance, &c. &c.				50	5	10				1,132	6	0	

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